

## **AMENDED PINES HOA COMPLAINT PROCEDURES**

If a Pines Homeowner registers with any Pines HOA Board Member a verbal complaint against another Homeowner, that Board Member shall request that the complainant resubmit their complaint in writing - preferably by e-mail. The Board Member shall then forward the written complaint to the President of the Board and to the Manager of the Pines HOA.

If the complaint is made originally to the President of the Pines HOA, he shall forward the written complaint to the Manager of the Pines HOA and to whichever Pines Board Member sits on the Pines HOA committee most appropriate to consider the complaint.

The two Board Members and the Manager shall comply with any request by a complaining Homeowner that their name be held in confidence. If a Homeowner is unwilling to put their complaint in writing, the Board may ignore the complaint without prejudice or consequence.

The two Board Members and the Manager shall confer and reach a consensus as to whether a complaint is serious enough to require them to contact the offending Homeowner. Any contact with an offending Homeowner shall be in writing - preferably by e-mail - transmitted by the Pines Manager, who shall request that the offending Homeowner acknowledge the complaint and respond to it, also by e-mail. This written communication shall be considered a "First Warning".

If the problem/dispute persists and/or cannot be resolved amicably through the intervention of the Pines Manager, the President shall present the problem/dispute to the Board, either at the next regularly scheduled Board meeting or, if the matter is of so serious a nature as to require immediate attention, at a Special Board Meeting called specifically to consider the problem.

If at such meeting the Board considers the problem to be of a serious nature and finds the offending Homeowner unwilling to cease or

satisfactorily mitigate the situation or behavior causing offense, the Board, after issuing a "Second Warning" in writing, may levy a fine(s) in order to compel compliance, as provided for under Section 8.8 **Fines** (and Section 4.8 **Animals** specifically with respect to violations involving dogs) of the Pines Declaration of Covenants, Conditions and Restrictions and under Section 4.4(g) of the Bylaws of the Pines. No fine shall be levied without a majority vote of the Board and without the offending Homeowner being given the two written warnings discussed above and afforded the opportunity to present in person his or her position and counter-arguments to the Board. If the offending Homeowner is also a Board member, he must recuse himself from any Board discussion or vote on the matter.

Any disputes arising due to the application of these Complaint Procedures shall be resolved by binding arbitration under the "Uniform Arbitration Act", part 2 of article 22 of title 13, C.R.S. or by another means of alternative dispute resolution under the "Dispute Resolution Act", part 3 of article 22 of title 13, C.R.S.