

**BOARD RESOLUTION OF WEST FORK VILLAGE OWNERS ASSOCIATION, INC.  
RULES ENFORCEMENT PROCEDURES**

DULY PASSED ON JANUARY 19, 2017  
**AMENDMENT NUMBER 3**

**RESOLUTION NUMBER 12**

**Subject: RULES ENFORCEMENT PROCEDURES**

WHEREAS the West Fork Village Owners Association, Inc. has a declaration, bylaws, and rules and regulations, and,

WHEREAS Article 5 REMEDIES FOR VIOLATIONS paragraph 5.1 on page 10 of the bylaws of the West Fork Village Owners Association, Inc. empower the Board of Directors to enforce the declaration, bylaws, and the rules and regulations, and,

WHEREAS the Colorado Common Interest Ownership Act (CCIOA) specifies in Secti on 38-33.3-209.5 how to enforce the declaration, bylaws, and rules and regulations,

NOW, THEREFORE, BE IT RESOLVED THAT the West Fork Village Owners Association, Inc. will enforce said declaration, bylaws, and rules and regulations with the following procedure:

- A. In order to begin the **Rules Enforcement Process**, an owner or resident must state in writing to the Board of Directors (the Board) or to the Manager any rule violation he or she wishes to complain about with the name, unit number, time, date, detailed description of the event and reference the section of the governing documents (If you are not familiar with the governing documents or do not have a copy in your unit you can ask the Manager, or go to [www.westforkvillage.org](http://www.westforkvillage.org), or you can find the them at the fireside lounge in the club house). Complaint forms can be found at [www.westforkvillage.org](http://www.westforkvillage.org) or in the mail room or the club house near the office counter. The violation form can be sent to the Board or the Manager anonymously requesting a warning letter be sent to the alleged offending owner or resident. But, if a fine is to be imposed, the form cannot be sent anonymously. The Board or Management will investigate by inspections and/or by asking neighbors and/or the alleged offender to determine if the violations of the governing documents have/has occurred.
  - 1. The person making the complaint may be called to testify at all hearings.
  - 2. Committees, as well as groups of owners, individual owners, individual residents, management, or employees may file complaints.
- B. **1<sup>st</sup> Offense:** Upon receipt of an alleged rule violation letter stating the date and approximate time of the alleged violation, a "Notice of Violation Warning" letter will be sent to the alleged violator, and stating the alleged violation.



- C. **2<sup>nd</sup> Offense:** Fine notice will be sent indicating the amount of the fine and the right to appeal (amount will be according to the Association's SCHEDULE of FINES & FEES). The fine will be imposed after the appeal procedure not more than 10 days has lapsed.

**Additional fines will be imposed only if additional complaint forms are submitted to the Board or management.**

- D. **3<sup>rd</sup> Offense:** If any violation occurs within the next 12 months a second fine notice will be sent indicating the amount of the fine and the right to appeal (amount will be according to the Association's SCHEDULE of FINES & FEES). The fine will be imposed after the appeal procedure has lapsed.

**If the violations have not been corrected after the 4<sup>th</sup> notice a repeat violation fine (see SCHEDULE of FINES & FEES) will be imposed for every occurrence and further action will be taken at the discretion of the Board for failure to comply.**

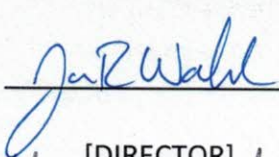
- E. **Appeals/Hearings:** An appeal/hearing request may be submitted in writing to the Board or to the Manager within 10 business days from the date of the notice of violation letter. An owner shall have the right to appeal any notice of violation and /or fine by appearing for the hearing at which time the owner or their representative may present evidence or an explanation why the unit owner or resident has not violated the governing documents, rules, or resolutions, or why special circumstances exist. The Manager will notify the owner of the date, time and location of the hearing.

- F. **Board Final Decision:** If the unit owner(s) or their representative fails to appear, the Board may assess the fine to the unit owner's account. If the unit owner or their representative, appeals in writing, the Board will hold a hearing. The Board will hear testimony from both sides at the hearing and then excuse both parties and may render a decision. If the Board does not make a decision at the time of the meeting, it will within 30 days after the hearing make a determination as to the validity of the alleged violation. The Manager will notify the unit owner in writing of the Board's decision. The Board reserves the right to waive or reduce the fine at its discretion. Any fines assessed by the Board will be due and payable immediately. After 10 days there may be a late fee assessed to the unit owners account (according to Fine Schedule posted in the mail room and on the Association's website). After 30 days and thereafter if the fine is not paid, unit owners account will be assessed an additional late fee (according to SCHEDULE of FINES & FEES posted in the mail room and on the Association's website). Failure to pay will be treated in accordance with standard collection actions which may take the form of court action for damages, as provided by law. It is also possible that standard collection actions may include the filing of a lien on the unit for nonpayment of the fine and, ultimately, foreclosure, if necessary.

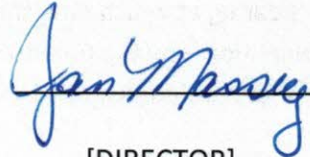
RETURN TO  
West Fork Village (CA) Inc  
2775 W.S.P. #1001  
P.O. Box 88  
Boulder, CO

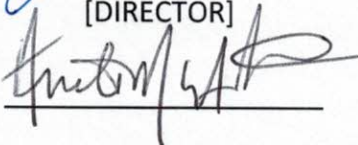
- G. In the case of non-owner-occupied properties owner(s) will be provided copies of all correspondence.
- H. Management or employees, while on the clock and off-the-clock, may submit written complaints but will have to go through the same process as owners. Management may address the alleged violation verbally by explaining the violation at the time it occurs and may require an immediate response. It may require a written complaint to the Board if there is no immediate response or the violation deems it necessary.
- I. All residents, owners, or entities of the unit will not be allowed access to the club house until the fine(s) and/or fee(s) are fully paid.
- J. After one year has lapsed if a resident, owner, or entity receives a violation letter, the violation letter will revert back to a warning letter even if they have received letters with a fine notice during that previous year.

We, the undersigned, hereby certify that WEST FORK VILLAGE OWNERS ASSOCIATION Executive Board is comprised of 6 members, of whom 4, constituting a quorum, were present at a meeting duly called, convened and held this 19<sup>th</sup> day of January 2017, and that this Resolution was duly amended at said meeting by the affirmative vote of 4 members, and opposed by 0 member(s), and that said Resolution has been duly recorded in the Minutes and is in full force and effect.

  
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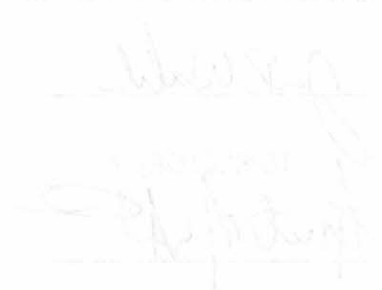
Return to:  
West Fork Village OA Inc  
5775 W. 29th St #1601  
Greeley CO 80634

SP  
Cash

After one year has passed a resolution, written or verbal, received a written letter, the  
at the meeting(s) on the last(s) day(s) of the year.  
In addition, owners or holders of the shares may be deemed to have approved the same  
if they do not attend the meeting and do not give notice of their dissent in writing to the  
Secretary or the Board of Directors within the time specified in the Bylaws.  
The Board of Directors may also take any action which may be lawfully taken by the  
owners of the shares if the Board of Directors is authorized to do so by the Bylaws.

  
DIRECTOR

  
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