

# Palisade Legends Homeowners Association

## Vandalism, Lewd Behavior & Destruction of Property Policy Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

### 1. Scope:

To adopt a policy outlining procedures to be followed for enforcing policies rules and regulations and other governing document of the Association pertaining to destruction of property, vandalism and lewd behavior committed against or within the HOA or its assets.

### 2. Specifics:

Lewd behavior, Vandalism, Destruction of Property or Entering any Unauthorized Area Violations may be observed by the Board of Directors, the management company, a committee member, recording devices or reported via written correspondence through e-mail, fax or mail service by anyone. The complaint must state specifically the violation observed and include who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information such as license plate numbers etc.

If full details are not provided with a complaint, further action beyond additional observation may not be made. The Board will investigate the complaint further and will make additional observations if required.

If a complaint is found to be in violation of a municipal code, the complaint will be forwarded to the appropriate authorities.

If a Vandalism or Destruction of Property violation is found and documented the following actions will be taken:

- A letter will be sent to the owner (and tenant if it is known that the unit is being used as a rental) stating that a violation has occurred. This letter will allow the unit owner to forward documentation if they believe the violation did not occur. The unit owner will have 10 days to respond to the letter or to correct the violation or notify them of an automatic fine in accordance with this Policy.
- If there is clear evidence from video or any other surveillance system and/or camera, an automatic fine of \$500.00 for the first offence shall be charged to the Owner's ledger and must be paid within 30 days.
- Any destruction of property will be repaired, and the Owner's ledger will be charged the full cost of repairs and fines/fees.
- If the violation (without photographic evidence) is not contested or disputed, a fine of \$500.00 for the first occurrence shall be levied against the member in question.

- If the violation is disputed, and at the hearing it is found that the violation did (does) occur, the Owner will be charged \$500.00, due immediately upon completion of the hearing. All normal late fees shall be assessed for late payment.
- For any second violation or additional violations, the fine is \$1,000.00, per occurrence, per day. If a hearing to dispute the violation is not requested by the owner within 7 days of the second violation, payment will be due immediately and normal late fees shall be assessed thereafter.
- Peeing or defecating anywhere other than in a urinal or toilet shall result in an automatic fine of \$500.00 if recorded or photographed. Law Enforcement may also be contacted for indecent exposure.
- It is the responsibility of the Owner to notify the Board that a violation has been rectified or that the issue will be disputed.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

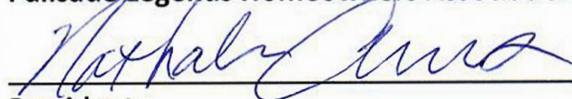
Non-payment of fines will fall under the Dues Collection Policy and a lien shall be filed against the Owner's unit.

Voting rights will be suspended for any Owner who is or has been in violation of the CC&R's in the previous thirty (30) days.

- 3. Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
- 4. Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
- 5. Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
- 6. Amendment:** The Board of Directors may amend this procedure from time to time.

**President's Certification:** The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

**Palisade Legends Homeowners Association**



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President

Effective Date: May 1, 2021