

NORTHERN TERRACE HOMEOWNERS ASSOCIATION

BOARD OF DIRECTORS RESOLUTION

RE: BULLYING AS A VIOLATION OF NUISANCE COVENANT

WHEREAS, Northern Terrace Homeowners Association (the "Association") is a Nevada nonprofit corporation governed by the laws of the State of Nevada, including Nevada Revised Statutes ("NRS") Chapter 116, which governs common-interest communities;

WHEREAS, NRS 116.3102(1) (a) provides that an association may "adopt and amend rules and regulations";

WHEREAS, Article 5 Section 5.2 of the Supplemental Declaration of Covenants, Conditions & Restrictions and Reservation of Easements for Northern Terrace (the "Declaration") empowers the Board, acting on behalf of the Association, to adopt, amend, repeal and/or enforce reasonable and uniformly applied Rules and Regulations.

WHEREAS, NRS 116.049(3) defines an association's governing documents to include its Rules;

WHEREAS, NRS 116.3102(1) (m) provides that an association "may impose reasonable fines for violations of the governing documents" of the Association;

WHEREAS, NRS 116.31031(1) provides that the Board may impose fines and sanctions against a "unit's owner or tenant or an invitee of a unit's owner or tenant" for violations of the Association's governing documents;

WHEREAS, NRS 116.31184 states the following:

A community manager, an agent or employee of the community manager, a member of the executive board, an officer, employee or agent of an association, a unit's owner or guest or tenant of a unit's owner shall not willfully and without legal authority threaten, harass or otherwise engage in an course of conduct against any other person who is the community manager of his or her common-interest community or an agent or employee of that community manager, a member of the executive board of his or her association, an officer, employee or agent of his or her association, another unit's owner in his or her common-interest community or a guest or tenant of a unit's owner in his or her common-interest community which:

- a) Causes harm or serious emotional distress, or the reasonable apprehension thereof, to that person; or
- b) Creates a hostile environment for that person.

WHEREAS, Article 10, Section 10.5 of the Declaration, governs nuisances within Northern Terrace and reads, in pertinent part, as follows:

No noxious or offensive activities (including, but not limited to the repair of motor vehicles) shall be carried out on the Properties. No noise or other nuisance shall be permitted to exist or operate upon any portion of a Unit so as to be offensive or detrimental to any other Unit or to occupants thereof, or to the Common Elements... The Board shall have the right to reasonably determine if any noise, odor, activity, or circumstance, constitutes a nuisance. Each Owner and Resident shall comply with all of the requirements of the local or state health authorities and with all other governmental authorities with respect to the occupancy and use of a Unit, including Dwelling. Each Owner and Resident shall be accountable to the Association and other Owners and Residents for the conduct and behavior of children and other Family members or persons residing in or visiting his or her Unit; and any damage to the Common Elements, personal property of the Association or property of another Owner or Resident, caused by such children or other Family members, shall be repaired at the sole expense of the Owner of the Unit where such children or other Family members or persons are residing or visiting.

WHEREAS, the Board desires to adopt a Rule clarifying the Association's interpretation of Article 10, Section 10.5 (nuisance) of the Declaration and incorporating within said Rule its definition of the anti-bullying provision set forth in NRS 116.31184.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the following Rule:

An officer or director of the Association, Owner, tenant, or guest of an Owner or tenant shall not willfully and without legal authority threaten, harass or otherwise engage in a course of conduct against any other person who is the community manager or an agent or employee of that community manager, an officer, director, employee or agent of the Association, another Owner, tenant or a guest of an Owner or tenant which: (a) causes harm or serious emotional distress, or the reasonable apprehension thereof, to that person; or (b) creates a hostile environment for that person.

Such conduct shall be deemed to be an "offensive or detrimental" activity that creates a nuisance, and as such is a violation of Article 10, Section 10.5 of the Declaration.

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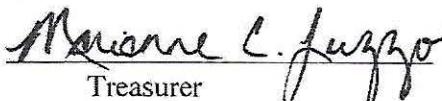
After notice and a hearing, as required by the Association's governing documents and NRS 116, anyone violating the above-referenced Rule may be sanctioned as follows:

- (a) imposition of fines, consistent with the Association's Fine Policy and Procedure;
- (b) suspension of voting privileges; and
- (c) suspension of the right to use the Association's Common Elements.


DATED this 21st day of June, 2016

**NORTHERN TERRACE
HOMEOWNERS ASSOCIATION**

By: 
President

By: 
Treasurer

By: 
Secretary

By: 
Director

By: 
Director