

**RESOLUTION OF  
DEER CREEK AT NORTHGATE HOMEOWNERS ASSOCIATION  
REGARDING POLICY AND PROCEDURE FOR ADOPTION OF POLICIES,  
PROCEDURES, RULES, REGULATIONS OR GUIDELINES**

**SUBJECT:** Policies and procedures regarding adoption and amendment of policies, procedures, rules, regulations and guidelines.

**PURPOSE:** To provide and set forth policies and procedures for the adoption and amendment of new and existing policies, procedures, rules, regulations or guidelines governing the Community.

**AUTHORITY:** The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.

**EFFECTIVE DATE:** May 21, 2014

**RESOLUTION:** The Association hereby adopts the following policies and procedures, contained herein.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of Deer Creek at Northgate Homeowners Association, a Colorado nonprofit corporation, certifies that the following Policy was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on May 21, 2014 and in witness thereof, the undersigned has subscribed his/her name.

DEER CREEK AT NORTHGATE HOMEOWNERS ASSOCIATION  
INC.  
a Colorado nonprofit corporation

By:   
President

*This document alone does not constitute Full Resale. Disputes required under Colorado Law.*

## Adoption of Policies, Procedures, Rules, Regulations, or Guidelines

1. Scope. The Board of Directors of the Association may, from time to time, adopt or amend policies, procedures, rules and regulations, resolutions and guidelines. This may be as the Board determines is advisable or necessary to facilitate the efficient operation of the Association, including the clarification of ambiguous provisions in other documents, or as may be required by law.
2. Drafting Procedure. The Board may consider the following in drafting Policies:
  - a. Whether the Governing Documents or Colorado law grants the Board the authority;
  - b. The need for a policy, procedure, rule or regulation, resolution or guideline, based upon the scope and importance of the issue and whether the governing documents adequately address the issue; and
  - c. The immediate and long-term impact and implications.
3. Review Prior to Adoption. At the discretion of the Board, any policy, procedure, rule, regulation, resolution or guideline may be submitted to the Association's attorney for review before the policy, procedure, rule, regulation, resolution or guideline is adopted or becomes effective.
4. Adoption Procedure. The Board may adopt any policy, procedure, rule, regulation, resolution or guideline at anytime. Upon adoption, notice, including the effective date is to be provided to all Owners by any reasonable method as determined in the sole discretion of the Board, including but not limited to posting on the Association's website (if any) or mailing.
5. Book. The Board of Directors may keep copies of any and all adopted policies, procedures, rules and regulations, resolutions and guidelines in a book or binder or other means. The Board of Directors may further categorize policies, procedures, rules and regulations, resolutions and guidelines.

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

**RESOLUTION OF  
DEER CREEK AT NORTHGATE HOMEOWNERS ASSOCIATION  
REGARDING POLICIES AND PROCEDURES FOR  
ALTERNATIVE DISPUTE RESOLUTION**

**SUBJECT:** Adoption of policies and procedures to encourage alternative dispute resolution in compliance with Colorado law.

**PURPOSE:** To amend and restate the Association's policies and procedures for resolving disputes between Owners and between owners and the Association.


**AUTHORITY:** The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.

**EFFECTIVE DATE:** \_\_\_\_\_, 2014

**RESOLUTION:** The Association hereby adopts the following policies and procedures, contained herein.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of Deer Creek at Northgate Homeowners Association, a Colorado nonprofit corporation, certifies that the following Policy was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on \_\_\_\_\_, 2014 and in witness thereof, the undersigned has subscribed his/her name.

DEER CREEK AT NORTHGATE HOMEOWNERS ASSOCIATION  
INC.  
a Colorado nonprofit corporation

By:   
\_\_\_\_\_  
President

*This document alone does not constitute Full Resale Disclosures required under Colorado Law.*

**Dispute Resolution Procedures for Owner Disputes with the Association, With Other Owners, or With Residents.**

1. Discretionary Dispute Resolution Procedures. The procedures set forth below are encouraged to resolve disputes between Owners and the Association, and between Owners and other Owners or residents. At its discretion, the Board of Directors may utilize the procedures set forth below to resolve disputes with Owners prior to filing litigation. If an Owner requests to meet with the Board, the Board will make a reasonable effort to comply with the Owner's request.
2. Negotiation. A request for dispute resolution by negotiation may be initiated by an Owner or the Association. A request must be in writing stating the nature and details of the dispute and must be personally delivered to the other party. So long as the other party agrees to negotiate, a meeting is to be held between the parties to begin a good faith attempt to negotiate a resolution not less than 60 days of receipt of the request, unless otherwise extended by written agreement. Through negotiation, the parties will communicate directly with each other in an effort to reach an agreement that serves the interests of both parties. Should the dispute pertain to property issues, each party will be granted the right to inspect the alleged defects or problems at a time convenient to everyone involved.
3. Mediation. If the dispute is not resolved by negotiation, any party may request in writing that the issue be submitted to mediation. If the parties agree to mediate the dispute prior to seeking other remedies, they should participate in good faith in the mediation. The role of the mediator is to facilitate further negotiation between the parties. The mediator will not have power to decide how to resolve the dispute but will use recognized, accepted mediation techniques to assist the parties in making that decision. The mediator is to be selected by a consensus of the parties involved within 15 days of the receipt of the request. Any cost of mediation will be shared equally among the parties unless they and the mediator agree otherwise.
4. No Waiver. Nothing in this Policy will be construed to require any specific form of alternative dispute resolution, or to require the parties to meet. Neither the Association nor the Owner waives any right to pursue alternative remedial actions permitted by law or the right to seek representation by legal counsel at any point in the process.

Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_