

**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: 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 Release of all claims 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: _____