

MOUNT VISTA ASSOCIATION HANDBOOK

- General Information
- Enforcement Process & Fines
- Delinquent Accounts
- Rules & Regulated Items
- Architectural Control
- Rights & Responsibilities

Mount Vista Association
P.O. Box 61503
Vancouver, WA 98666

360-573-8058
www.mtvista.org

April 2011

MOUNT VISTA ASSOCIATION



- *Protect the value and desirability of the real property*
- *Provide for maintenance, preservation and architectural control of the residence lots and common areas*
- *Promote the health, safety and welfare of the residents*



GENERAL INFORMATION

Greetings to our neighbors, fellow members of the association –

The character of a neighborhood rests in the hands of the residents. Living in a neighborhood with a homeowner association places some limitations on the actions and choices of individual residents. Those same limitations help create an environment of shared responsibility for maintaining the desirability of the community and the protection of the property values throughout the association.

This handbook contains information about the governance and operation of the association, the expectations we place on one another, and notice of the rules, regulations and enforcement process.

The association consists of 430 residential lots and 3 common areas owned by the association for the use and benefit of the members. The owners of all properties described in the recorded plats of Mount Vista are inseparable members of the association, with full voting rights, one vote per lot, and bound by the governing documents.

Our guiding principles begin with the three bullet points on the first page and continue at the end of the handbook in a list of the rights and responsibilities of owners and the rights and responsibilities of community leaders. We strive to keep all these things in mind as we serve the association and help assure that Mount Vista is a desirable place to live.

We hope you find the handbook useful. We have tried to be as descriptive as possible. The board invites our residents to contact a board member or the manager, for clarification of the contents or to make suggestions.

The members elect the board of directors to act on behalf of the association. We are homeowners in Mount Vista, just like you. We volunteer and work to help create a harmonious community and protect property values. We hope you will join us for upcoming community events or meetings.

-- Your Board of Directors

HOMEOWNER MEETINGS

ANNUAL MEETING OF HOMEOWNERS:

The annual meeting of homeowners takes place in April. Business includes the election of directors, ratification of the budget and other items as needed. Members may vote in person or by proxy. The association will provide the meeting notice, agenda, summary of the adopted budget and a proxy ballot to every owner at least 15 days in advance of the annual meeting. Quorum requirement is 10% of the total membership. Owners have one vote per lot.

SPECIAL MEETINGS:

When a vote of the membership is required, the HOA will notify owners in accordance with the governing documents. In all cases, the notification will include the meeting date, time and place, as well as the purpose of the meeting.

BOARD OF DIRECTORS

The board consists of nine volunteer directors, elected in rotation, three directors per year, to 3-year terms. The board acts on behalf of the members as established in the governing documents. Email board members by using the Contact link on the website: www.mtvista.org or by leaving a message with the manager at 360-573-8058.

The board meets on the first Monday of each month at the Rec Center at 6:30pm. All residents are welcome to attend. In the event of a holiday, the board meeting will take place the following night.

ASSOCIATION MANAGER

The HOA manager is responsible for duties assigned by the board to conduct the business of the association.

Mail: Mount Vista Association
P.O. Box 61503
Vancouver, WA 98666

Phone: Manager – 360-573-8058
Recreation Center – 360-574-7665

Email: manager@mtvista.org

Website: www.mtvista.org

HIERARCHY OF GOVERNING DOCUMENTS

It is important to understand the legally binding documents that frame the function of our association. Some documents are codified in law, some documents can be changed by the membership, and others can be changed by the board. In cases where two documents disagree with one another, the document that is the higher of the two is the document that prevails.

United States Constitution

The document against which all legal matters in the United States is judged

Federal Law

Such as the Fair Housing Act and rules created as a result of each law

State Constitution

HOAs are created pursuant to state statutes. The state constitution is the document against which all state statutes are tested.

State Laws

Generally, RCW 64.38 Homeowners' Associations and RCW 24.03 Nonprofit Corporations will govern the interpretation of other association documents. However, in some cases the Acts specifically defer to the declaration and bylaws. Legal advice can be sought in case of conflicts or inconsistencies.

Subdivision Plat

The plat defines physical boundaries and may contain language about who is responsible for maintaining particular portions of real property.

County Ordinances

Zoning codes, conduct codes and development codes are the most common types of ordinances applicable to HOAs. If the restriction of the HOA is more restrictive than the municipal code, the HOA restriction will apply.

Declaration (CC&Rs)

The declaration is the document that defines the rights and liabilities of each owner. The declaration, like the plat, is recorded in the property records of the county where the property is located. These documents can be changed with a vote that secures approval from 75% of the entire membership. (323 of 430 lots) In Mount Vista, we have multiple versions of Declarations. While similar to one another in many ways, the versions recorded for each of the eleven phases contain some differences.

Deed

The deed to the individual lot may contain language that supplements the declaration as to that lot in terms of the rights and liabilities of the owner of the lot.

Articles of Incorporation

The HOA has incorporated to limit the liability of any individual owner. The Articles can be changed with a vote that secures approval from 75% of the entire membership. (323 of 430 lots)

Association Bylaws

Govern the administration and management of the HOA.

Amendment of the bylaws occurs at a regular or special meeting of the members, with the assent of a majority of a quorum of the members present in person or by proxy. The quorum requirement for Mount Vista is 10% of the entire membership (43 of 430 lots)

Rules, Regulations, and Resolutions

Subject to all other documents, properly adopted rules, once published and provided to the owners, are binding. These include Architectural Control Standards, Rules and Regulated Items, Enforcement Guidelines and Procedures, Collection Policies, Special Assessments, Committees, and so forth. Generally, these items require review and revision in order to remain relevant to the needs of the association. Rules, Regulations and Resolutions are board documents and require approval of a majority of the board members at a meeting with a quorum present.

Adapted from CAI-Oregon seminar on Governing Documents
Presented by associates of Vial Fotheringham - September 2010

RECREATION CENTER & PARK

3313 NE 162 Street

Tennis courts (2), Basketball court, Sand Volleyball court, Play structure with slide, swings, picnic tables, ~~swimming pool, wading pool~~, kitchen facilities, meeting/party room, parking for 34 cars.

NOTE: As of 9/2007, the pools are not operational due to the need for major repairs

WATER TOWER PARK

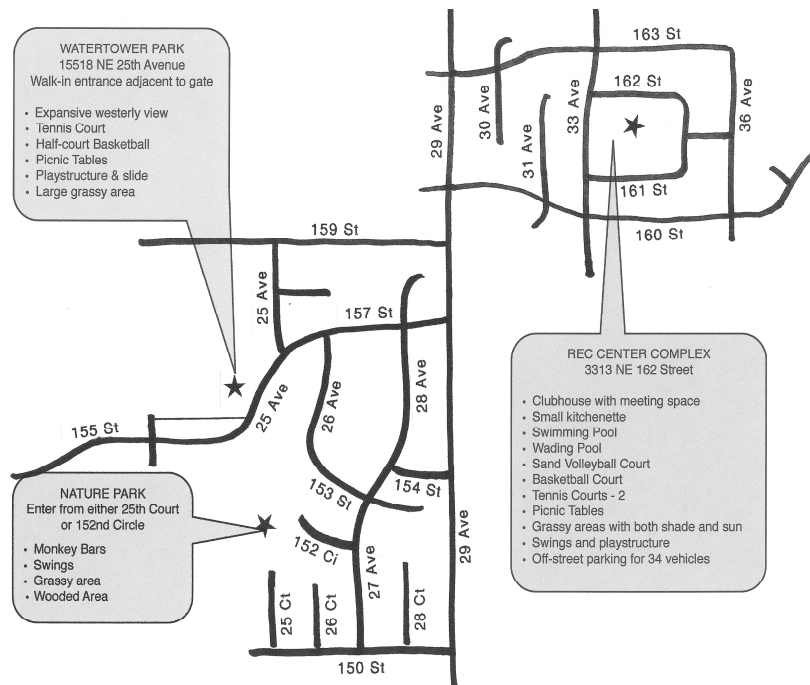
15518 NE 25 Avenue

Tennis court, half-court basketball, Play structure, slide, swings and picnic tables

NATURE PARK

Property is accessible from 152 Circle, west of 27 Avenue and 25 Court, north of 150 Street

Swings, Monkey bars, large wooded area



PRIVATE PARTY RENTALS

Residents may reserve the Recreation Center for private use on a fee basis. Contact the HOA manager for information.

COMMUNICATION

REPORT TO HOMEOWNERS

The HOA will mail periodic reports to homeowners to provide information regarding upcoming events, the condition of common areas and facilities, functions and finances of the association, committee reports, and opportunities to volunteer.

The fiscal year ends on May 31. The HOA will provide financial statements approximately 90 days after the fiscal year end.

WEBSITE

- Please visit the HOA website at www.mtvista.org
- Resident subscribers receive email notifications, announcements and news as it is posted.
- Residents can check the calendar for details on upcoming meetings and events as well as last minute changes.
- An area of the website is dedicated to Discussion Forums. Registered users can post comments. To introduce a new topic, contact the manager.
- Contact links to the directors and manager.

BUDGET

The Budget Committee develops and recommends the annual budget for maintenance and operations to the board of directors. The board votes to adopt the budget at their March meeting. Members vote on ratification of the budget at the Annual Meeting in April.

ASSESSMENTS

All lots are subject to an annual assessment for the operation of the association and maintenance of common areas. The HOA mails invoices for annual assessments by May 1st that are due in full on June 1st each year. In the case of a sale, the title company will prorate the annual assessment, between seller and buyer, at closing.

Special Assessments are subject to a vote of the general membership in accordance with the declarations.

ACCESS TO RECORDS

Members may request access to association records and books during regular business hours with reasonable notice. A fee may be charged for copies that are requested.

GARAGE SALES

Residents may hold individual garage sales at any time they choose.

NEIGHBORHOOD-WIDE GARAGE SALES

Volunteer residents organize neighborhood-wide garage sales, usually held in spring and fall. These events are not a function of the association.

Participants share in the expenses of maps, balloons, and ads in newspapers. The cost is generally less than \$15 for each participant.

The website and reports will contain information about dates of the sales and contact information for the coordinator.

STREETS AND STREETLIGHTS

The project developer deeded the streets throughout the association to Clark County. Except as restricted by Clark County, residents and their guests may park in the streets of Mount Vista.

Also refer to Regulated Items – Vehicles & Parking

Streetlights are the property of Clark PUD. If lights are malfunctioning, contact Clark PUD directly at 360-992-3000.

ENFORCEMENT PROCESS & FINES

RULE ENFORCEMENT & FINE ASSESSMENTS

If a situation arises that will cause your property to be out of compliance, please contact the association to provide details and discuss the possibility of temporary relief from enforcement.

REPORTING: To report a violation, contact the manager to provide the address of the home in question, the nature of the violation, and your name and contact information. Where possible, an agent of the association will confirm the violation prior to commencing with enforcement action.

ENFORCEMENT PROCESS & SCHEDULE OF FINES:

1. At their discretion, the association may initially contact a resident by telephone or email to discuss a possible rule violation and compliance.
2. The first letter to a resident is a Courtesy Notice, describing the alleged violation and providing the resident with a specified period to contact the association and bring the property into compliance.
3. If the violation is not resolved within the specified period, the association will mail a Notice to Correct with a \$50 fine assessment and a specific period to contact the association and bring the property into compliance. This letter will also notify the resident of their right to an appeal hearing. The resident may request a hearing within 10 days of the notice.
4. If the violation remains unresolved, and the owner has not requested a hearing, the association will mail a third letter, assess an additional \$100 fine assessment, and notify the resident of the intent to refer the matter to legal counsel for enforcement.
5. If the HOA has previously mailed the resident a Courtesy Notice regarding an issue, or if a fine has previously been levied, subsequent enforcement action will begin with Step 3, Notice to Correct, and the \$50 fine assessment.

DUE PROCESS/APPEAL:

Residents have the right to a hearing with the board, or a committee designated by the board, to appeal an enforcement action by submitting a written request to the manager within 10 days of the Notice to Correct. Any fine assessment amount will stand during the period of the appeal. If upheld on appeal, the fine assessment will be due ten days after the board decision.

NOTIFICATION TO PROPERTY OWNERS:

In cases of violations at homes occupied by non-owners, the association will mail a copy of all notices to the property owner at the mailing address provided to the association.

COSTS OF ENFORCEMENT:

Any violation of governing documents, rules and regulations entitles the association to pursue any remedy provided by law or in equity. Pursuant to RCW 64.38.050, the court can award the prevailing party reimbursement for reasonable attorneys' fees.

COLLECTION OF DELINQUENT ACCOUNTS

Owners are encouraged to contact the association when individual circumstances interfere with prompt payment of assessments in order to negotiate a payment agreement. The board will consider proposed payment arrangements in closed session.

Delinquent accounts are subject to late fees of \$5.00 per month, plus interest at 6% per annum.

The association will assess returned check charges of \$28.00

Owners are responsible for collection costs (postage, lien recording fees, court costs, service fees, etc) plus reasonable attorney fees.

NOTICE: While the association has made every effort to assure a complete and comprehensive list of items that may trigger enforcement action, the association retains the right to amend this list as needed.

Whether or not listed, all aspects of the state statutes, declarations, articles of incorporation, bylaws, resolutions, rules and regulations remain enforceable. This list does not alter, amend or replace the declarations of the association.

RULES & REGULATED ITEMS

ARCHITECTURAL CONTROL & PROJECT APPROVAL

Residents must submit a Project Application to the Architectural Control Committee for approval of all changes to the exterior of homes and properties prior to the performance of the work. This requirement applies to all exterior changes or modifications whether new construction or for the replacement, repair or removal of existing items. This handbook contains a list of specific standards.

Residents may obtain ACC Project Applications from the manager or from the website. As provided in the declaration, please allow thirty days for ACC approval. The ACC will make every effort to expedite the process, particularly in urgent situations. The ACC will approve projects based on project specifications, adherence to the established standards and/or harmony with surrounding structures and topography. All changes must comply with current county codes and requirements. When required by the county, the property owner is responsible for obtaining all permits. The most restrictive requirements shall be used, whether county code or association standards and criteria.

CONDITION OF STRUCTURES

All structures and components thereof maintained in good condition, neat and clean; repaired, replaced, or removed as necessary, to assure an exterior appearance that is consistent with the pattern throughout the association. This includes, but is not limited to: all exterior components of the dwelling, such as: siding, roof, windows, doors, awnings, paint, gutters, stone or brick, etc., fencing, driveways, porches, patios, decks, storage sheds, greenhouses, solar panels, pools, appropriate window coverings and play structures.

LANDSCAPE/YARD MAINTENANCE

Landscaping shall conform to the pattern of others in the community. Yards and growth maintained neatly and presentable, properly cultivated and kept free from clutter, insects and diseases.

Landscape maintenance includes, but is not limited to:

- Yard debris and trimmings are contained appropriately and disposed of regularly
- Lawns kept free of weeds, disease and insects, mowed and edged regularly
- Landscaped areas kept free of weeds

- Invasive species, such as Himalayan Blackberry and English Ivy are not to encroach on another property
- Shrubs and trees maintained disease free and trimmed
- Weed barriers, such as plastic or cloth, are not exposed
- Growth shall not overhang sidewalks or streets in any way that impedes pedestrian or vehicle traffic. Maintain line of sight at intersections and driveways for safety
- Dead growth removed and disposed of regularly
- Containers and flowerpots maintained. Dead growth removed. Unused containers stored away from view
- Dropped fruit, leaves and needles removed in a timely manner and disposed of properly
- Public streets and sidewalks kept clear of debris, fallen fruit, leaves and needles
- Trees and shrubs trimmed to enhance the appearance of the dwelling and do not obscure windows or entrances.
- Street gutters kept free of growth, debris & clutter

Clutter includes, but is not limited to:

- Items stored temporarily outside covered in a reasonable manner, with consideration to public view
- Toys and bikes stored out of plain site
- Play structures, trampolines, etc. shall be maintained in good condition or removed
- Basketball hoops maintained and positioned without an effect on street parking and traffic
- Décor items, statuary, flags/pennants, etc. which are in public view shall be in good condition and of quantity that is consistent with the pattern in the neighborhood
- Building materials, landscaping materials, tools, other items, etc. stored away from public view

VEHICLES AND PARKING

Recreational vehicles, campers, trailers, boats, personal watercraft, oversize vehicles, snowmobiles, utility trailers, log trucks, dump trucks or large tractor-type trucks, junk cars* and unsightly vehicles and motorcycles must be parked inside an enclosed garage structure except while being loaded or unloaded, or for a service call.

**Junk Car: a vehicle missing any of the required body or mechanical parts, and/or unable to run in forward and reverse for 100 feet each direction under its own power.*

No vehicles parked on lawns or landscaped areas.

Vehicles under repair kept inside an enclosed garage at all times.

Authorization is available for temporary overnight parking of prohibited vehicles as described in the following procedure:

AUTHORIZATION FOR TEMPORARY OVERNIGHT PARKING

In order to park any of the aforementioned vehicles outside of an enclosed garage, the resident shall contact the manager and provide information relative to the circumstances (Name, address, contact information, description of the vehicle and the specifics of the situation that warrant the vehicle parking outside overnight).

This provision is for occasional situations and not for prolonged, ongoing, frequent or repetitive use.

HOUSEHOLD PETS

Household pets are limited to two per household.

No animals or livestock may be raised or kept. Household pets may not be kept, bred or maintained for any commercial purpose. Pets shall be reasonably confined to the dwelling or rear portion of the lot, not permitted to run free, or otherwise become a nuisance or source of annoyance to other residents. Residents shall observe all county ordinances relating to pets.

NOTE: CLARK COUNTY ANIMAL CONTROL –
CALL 360-397-2488, 24 HOURS A DAY

Nuisances enforceable under Clark County ordinance:

- any animal which enters private property and causes damage to any real or personal property
- any animal which runs after, chases or jumps at vehicles using public streets
- any animal that dumps garbage or strews trash
- any animal which snaps, growls, snarls, jumps at or otherwise threatens any person lawfully using public sidewalks or streets
- any animal known to have a contagious disease
- any dog that runs at large, licensed or not
- any animal that deposits excrement that is not removed by the animal's owner or other person having control over the animal
- any animal which by habitual howling, yelping, barking or other noise continuously for ten (10) or more minutes or intermittently for a period of thirty (30) or more minutes, causes a nuisance

NOISE

Quiet hours observed from 10:00 pm until 7:00 am. Avoid loud, disturbing or objectionable sounds that disturb others at all times. Refer to county ordinance 9.14.010 – Public Disturbance Noises

CLOTHELINES

Restricted to the rear portion of residence lots, items removed daily

WASTE AND RECYCLING RECEPTACLES

Residents shall screen waste and recycling receptacles from public view and shall not store receptacles at the front of any home. Residents shall keep garbage and other waste in sanitary containers, away from public view, and dispose of regularly. Receptacles shall not remain at the curb for collection any longer than necessary - maximum of 24 hours.

USE OF COMMON AREAS - PARKS

- Common areas and parks owned by the Mount Vista Association are for use by the member residents and their guests.
- Association parks are closed from dusk until 6:00am
- No yard debris or trash is to be dumped on HOA common areas
- No plants or material is to be removed from HOA common areas
- No cutting or trimming of growth on HOA common areas
- Only tennis, basketball and volleyball equipment is permitted on the appropriate, designated courts
- No wheeled equipment is permitted on any court
- Parking lot is not for sports or recreational use.
- Damage to property, plants or trees is prohibited. Homeowners will be responsible for restitution.
- Pets cannot run free. Owners shall observe county ordinances.
- The person responsible for the pet must remove all pet waste and carry it home.
- Alcohol use is prohibited.
- Activities that involve projectiles are prohibited, including golf, baseball, archery, air soft weapons, paintball, fireworks
- Amplified music is prohibited. Battery operated portable music players are permitted, so long as the volume does not disturb the peace of others.

FRAME AND TARP STRUCTURES

Residents may erect pop-up canopies, dining canopies and parking canopies for temporary use and not leave them up overnight.

OUTDOOR STORAGE AND TARPS

Owners shall consider public view and neighbor's views when storing items outdoors. Tarps shall be of muted colors.

OPERATING A BUSINESS FROM THE HOME

Written approval from the board is required prior to operating a business from a home. The board will consider impacts on neighbors, such as noise, traffic, parking, etc.

Applications are available from the manager.

STORAGE CONTAINERS/DUMPSTERS

Prior to placement, contact the association to provide information regarding the purpose and timeframe for the presence of storage containers and/or dumpsters.

WINDOW COVERINGS

Window coverings in public view are consistent with the pattern throughout the neighborhood. Residents shall not hang or install blankets, posters, sheets, paper, foil, etc.

HOLIDAY DECORATIONS AND DISPLAYS

Residents shall remove holiday décor from public view within thirty days following the holiday.

Clear mini-lites permitted year-round.

SIGNS

Signs are not permitted on lots or in windows, except:

- 1) Commercially produced "For Sale" or "For Rent" (max: 18" x 24")
- 2) Commercially produced signs showing resident name and/or address (maximum 6" x 24")
- 3) Small, commercially produced home security system signs
- 3) Commercially produced political signs as follows:
 - 45 days prior to an election
 - Maximum 18" x 24"
 - Maximum of one sign per candidate or issue – specifically on the ballot
 - No additional display enhancements (lights, streamers, etc)
 - Signs may not overhang sidewalks or impede sight distance of vehicles
 - Signs must be removed from view within 5 days after an election
 - Signs may not contain false statements or obscene language (non-protected speech)

EXTERIOR ANTENNAS

Television antennas and satellite dish receivers are permitted in compliance with federal law, subject to ACC approval prior to installation. Radio antennas are not allowed.

There is no requirement of the association to take specific actions to enforce the governing documents, other than to notify homeowners of the adoption of rules and regulations. The association has the option and right to continue to evaluate and enforce each violation on an individual basis. Procedures and timelines of enforcement may vary relative to the type of violation. The board reserves the right to change or alter the rules, regulations, enforcement process and fine assessment amounts at any time and shall provide each owner with a copy of the new policy resolution in advance of the effective date.

ARCHITECTURAL CONTROL STANDARDS

DWELLING SIZE:

The ground floor living area of a single-family dwelling erected on any lot, exclusive of any basements, open or screened porches, or garages, shall not be less than fifteen hundred (1,500) square feet for a one-story dwelling, nor less than eighteen hundred (1,800) square feet for a dwelling of more than one story. The dwelling must have at least three (3) bedrooms and at least one and three quarters (1¾) bathrooms.

DETACHED STRUCTURES – GARAGE, SHED, SHOP, ETC:

Structures directly adjacent to the dwelling must be the same architectural design as the house (Siding, roofing, windows, etc.) If the structure is placed away from the house, the roof of the structure must still meet the requirements of the approved guidelines of the Architectural Control Committee, but may be different material than that used on the house. If the structure is detached from the house and larger than 10' X 10' (100 square feet), general structure guidelines will be followed, plans must be submitted and will be considered on an individual basis. If detached structure is less than 10' X 10' (100 square feet) metal structures and other units may be approved if the unit is essentially hidden from view by the general public, and is located on the applicant's lot to minimize disturbing the view of neighbors.

EXTERIOR ANTENNAS FOR VIDEO RECEPTION:

Antennas to receive video programming are permitted in compliance with federal law, and are subject to Architectural Control Committee approval prior to installation. Plans for placement of antennas must include a photograph/drawing of the site with the proposed position for the device indicated on the picture.

Radio antennas are not permitted.

ROOFING:

Cedar shakes; ceramic tile; pre-painted standing seam metal at least 24 gauge; stone-coated steel; textured architectural asphalt shingles of a minimum weight of 290 pounds per 100 square feet. All roofing material colors in darker tones of brown, gray or black to generally resemble wood shakes.

FENCES AND DECKS:

Materials used must be: #2 cedar or better, pre-cast concrete, vinyl, wrought iron, composite decking material, redwood, outdoor wood (treated), chain link, masonry block or brick. Fences and decks shall be well constructed of suitable materials and shall not detract from the appearance of the house located

on the lot, or detract from the appearance of houses located on adjacent lots, or be offensive to the owners or occupants thereof. All fences and decks must adhere to County codes and setbacks. The maximum height for fences is 80". Current County codes require permits and engineering studies for fences taller than 72". It is always suggested that the applicant speak with neighbors prior to presenting plans for building a fence.

EXTERIOR – MATERIALS AND PAINT COLOR:

The exterior appearance of materials and colors are consistent with the pattern throughout the HOA.

WATER FEATURES:

Potential noise impact on neighboring lots will be considered

SOLAR PANELS:

Solar panels permitted as described in RCW 64.38.055

GARAGE:

Garages must be at least "double" with a minimum size of 20' X 22'.

GUTTERS:

All gutters must drain to the street, storm sewer or ACC approved rain barrels. Drywells are not permitted.

WATERPROOFING:

Waterproofing of foundation: drain tiles and rock around the footing must drain to the street.

DRIVEWAYS:

All driveways must be of concrete, exposed aggregate, or brick. Professionally installed, permeable surface materials will be considered.

MANUFACTURED STRUCTURES (STORAGE SHEDS, GREENHOUSES, GAZEBO, ETC):

Submit full specifications and pictures, along with a placement diagram. These structures will be considered on a case-by-case basis with consideration to materials and design.

MISCELLANEOUS ITEMS:

Play structures, pools, sport courts, and other items not listed herein shall be submitted with full specifications, pictures and a placement diagram. Each will be considered on a case-by-case basis.

SITE DRAINAGE:

Site drainage plans should match adjacent lots and make use of drainage easements. In no instance should the owner create a drainage problem.

ELEVATION:

Outside main floor elevation: _____

Verification – elevation is serviceable to sewer _____

COMMUNITY ASSOCIATIONS INSTITUTE -

Rights and Responsibilities for Better Communities - - *Principles for Homeowners and Community Leaders*

More than a destination at the end of the day, a community is a place people want to call home and where they feel at home. This goal is best achieved when homeowners, non-owner residents and association leaders recognize and accept their rights and responsibilities. This entails striking a reasonable balance between the preferences of individual homeowners and the best interests of the community as a whole. It is with this challenge in mind that Community Associations Institute (CAI) developed Rights and Responsibilities for Better Communities. Rights and Responsibilities can serve as an important guidepost for all those involved in the community—board and committee members, community managers, homeowners and non-owner residents.

Homeowners Have the Right To:

- A responsive and competent community association.
- Honest, fair and respectful treatment by community leaders and managers.
- Participate in governing the community association by attending meetings, serving on committees and standing for election.
- Access appropriate association books and records.
- Prudent expenditure of fees and other assessments.
- Live in a community where the property is maintained according to established standards.
- Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
- Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
- Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Homeowners Have the Responsibility To:

- Read and comply with the governing documents of the community.
- Maintain their property according to established standards.
- Treat association leaders honestly and with respect.
- Vote in community elections and on other issues.
- Pay association assessments and charges on time.
- Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- Request reconsideration of material decisions that personally affect them.
- Provide current contact information to association leaders or managers to help ensure they receive information from the community.
- Ensure that those who reside on their property (e.g., tenants, relatives, and friends) adhere to all rules and regulations.

Community Leaders Have the Right To:

- Expect owners and non-owner residents to meet their financial obligations to the community.
- Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
- Respectful and honest treatment from residents.
- Conduct meetings in a positive and constructive atmosphere.
- Receive support and constructive input from owners and residents.
- Personal privacy at home and during leisure time in the community.
- Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

Community Leaders Have the Responsibility To:

- Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
- Exercise sound business judgment and follow established management practices.
- Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
- Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
- Establish committees or use other methods to obtain input from owners and non-owner residents.
- Conduct open, fair and well-publicized elections.
- Welcome and educate new members of the community—owners and non-owner residents alike.
- Encourage input from residents on issues affecting them personally and the community as a whole.
- Encourage events that foster neighborliness and a sense of community.
- Conduct business in a transparent manner when feasible and appropriate.
- Allow homeowners access to appropriate records, when requested.
- Collect all monies due from owners and non-owner residents.
- Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
- Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights—where permitted by law and the association's governing documents.
- Initiate foreclosure proceedings only as a measure of last resort.
- Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
- Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees.