

HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.

POLICY RESOLUTIONS

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Policy Resolutions were reviewed and revised in their entirety between September 2015 and March 2016, underwent First Reading on March 21, 2016, were provided to all homeowners before April 1, 2016, were duly discussed during Public Hearing on April 25, 2016, and voted into action on May 9, 2016.

With the exception of Policy Resolution Number 1 and Number 2, which have no expiration dates, these resolutions expire on May 9, 2021.

The fully signed/executed version of these Policy Resolutions is located in the Book of Resolutions.

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 1
BOOK OF RESOLUTIONS**

WHEREAS, Article VIII, Section 1 and 2 of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC., Bylaws charges the Board of Directors with powers and duties for the administration of the Association; and,

WHEREAS, there is a need for the Board of Directors to keep a record of the actions and decisions taken in the performance of said duties; and

WHEREAS, it is the intent of the Board of Directors to maintain a record of its decisions in addition to the customary Book of Minutes;

NOW, THEREFORE, BE IT RESOLVED THAT the Board shall create a Book of Resolutions which shall be an orderly and indexed record of the more far-reaching and precedent setting types of resolutions that are adopted by the Board, specifically Policy Resolutions and Administrative Resolutions, which are defined in the Policy Resolution titled *Classifications of Resolutions*:

1. Book Format. The Book of Resolutions shall be composed of three main sections; one for Policy Resolutions and one for Administrative Resolutions and one for Special Resolutions, such resolutions to be arranged in the order of their adoption. In the last section of the Book of Resolutions shall appear an alphabetical index and an index to topics.
2. Responsibility. The Secretary shall be responsible for maintaining the Book of Resolutions and providing notice of additions to the members.
3. Inspection. The Book of Resolutions shall be made available for inspection by any member of the Association upon request to any Board member.

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 2
CLASSIFICATION OF RESOLUTIONS**

WHEREAS, Article I, Section 3 of the Declaration of Covenants OF THE HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC, describes the Book of Resolutions, and

WHEREAS, Article VIII, Section 1 and 2, of the HVCSA Bylaws charges the Board of Directors with powers and duties for the administration of the Association; and,

WHEREAS, to carry out such powers and duties, there is a need to establish systematic procedures; and

WHEREAS, appropriate procedures for adoption and recordation are dependent on the subject matter of a resolution; and

NOW, THEREFORE, BE IT RESOLVED THAT Resolutions of the Board shall be classified and recorded as follows:

1. Policy Resolutions shall include those resolutions adopted by the Board of Directors which specifically relate to the long term governance of the Association, including but not necessarily limited to actions affecting Members' rights of enjoyment, actions affecting Members' obligations, and protection of the equity of the Association and its Members. All Policy Resolutions shall be recorded as Part one of the Book of Resolutions of the Association.
2. Administrative Resolutions shall include those resolutions adopted by the Board of Directors which deal with the internal operation and structure of the Association, including but not limited to terms of reference for committees, financial procedures, etc. All Administrative Resolutions shall be duly recorded as Part Two of the Books of Resolutions.

BE IT FURTHER RESOLVED THAT the format of Resolutions shall conform to the format set out on the attached exhibit.

EXHIBIT: MODEL RESOLUTION FORMAT

NAME OF ASSOCIATION (ALL CAPS, BOLD)
(TYPE) RESOLUTION NUMBER (ALL CAPS, BOLD)
(TITLE OF RESOLUTION) (ALL CAPS, BOLD)

(Authority – From Governing Documents, indented one-half (1/2) inch, with specific wording in bold, caps)

WHEREAS _____, and

(Purpose-Scope – one space between preceding paragraph, indented one-half (1/2) inch, with specific wording in bold, caps)

WHEREAS _____, and

(Specification – steps, procedure, etc., formatted in 1. a. i. multilevel numbering, specific wording in bold, caps)

NOW, THEREFORE, BE IT RESOLVED THAT:

1. _____
 - a. _____
 - i. _____

HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 3
POLICY RESOLUTIONS:

WHEREAS, Article VIII, Sections 1 and 2 of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC. Bylaws charges the Board of Directors with certain powers and duties for the administration of the Association; and,

WHEREAS, for the purpose of establishing Board policy and setting precedents in the area of general polices and governance of the Association, specifically those areas affecting Members' rights of enjoyment, Members' obligations and equity protection for the Association and its Members, there is a need to adopt final rules and procedures for the making and recording of Policy Resolutions of the Board; and,

WHEREAS, it is the intent of the Board of Directors to institute such rules and procedures;

NOW, THEREFORE, BE IT RESOLVED THAT these procedures be followed for the adoption of Policy Resolutions:

1. Consistency. The Secretary shall be responsible for reviewing the proposed regulation for consistency with previously adopted resolutions and give a report at the Public Hearing.
2. Notice to Members.
 - a. The proposed Policy Resolution shall be printed in its entirety in the Association newsletter
 - b. The Newsletter shall include the date, time, and location of a Public Hearing set by the Board for no earlier than fifteen (15) days after the notice is published.
3. Public Hearing. All Members attending the Public Hearing shall receive copies of the agenda on which the proposed resolutions shall appear. Members shall have an opportunity to comment on the proposed resolution, subject to guidelines stated by the Board at the beginning of the hearing. Nothing contained herein, or in any other resolution, shall be construed to waive the option of the Board to delegate to an appropriate committee the authority to hold a public hearing.
4. Board Action. To be adopted, the Resolution must have the approval of a majority of the Board unless approval by an extraordinary majority if required by the Declaration of the Articles of Incorporation or the Bylaws. If the Resolution is adopted, copies of the Resolution shall be distributed to all Members of the Association and placed in the Book of Resolutions.

BE IT FURTHER RESOLVED THAT the following requirements are applicable to Policy Resolutions:

1. Duration. Policy Resolutions shall remain in effect five (5) years from the date of adoption or any subsequent amendment by the Board, unless a lesser period is indicated in the Resolution; except that Policy Resolutions Number 1 and Number 2, as they may be amended from time to time, shall remain in effect indefinitely. Any resolution due to expire shall be brought to the Board by the Secretary for consideration at a meeting within forty-five (45) days prior to the date of expiration. If, at the meeting when the Policy Resolution is reviewed, there are no proposed amendments of a substantive nature, the Board may readopt the Resolution with the approval of a majority of its

Members.

2. Amendment. To amend a Policy Resolution, the Board will follow the procedures for adoption of a Policy Resolution.
3. Emergency Policy Resolution. In cases where the property or equity of the Association is in jeopardy, or in emergency situations of similar proportion, the Board, with a majority approval of those Board Members present, may temporarily waive Steps 1 through 3; however, no later than thirty (30) days after the adoption of the Emergency Policy Resolution, such resolution shall expire unless the Board institutes the normal proceedings for adoption of a Policy Resolution.

HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 4
ADMINISTRATIVE RESOLUTIONS

WHEREAS, Article VIII, Section 1, 2, of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC. Bylaws charges the Board of Directors with certain powers and duties for the administration of the Association; and

WHEREAS, for the purpose of establishing Board policy and setting precedents in the area of internal structure and operation of the Association, there is a need to adopt formal rules and procedures for the making and recording these Administrative Resolutions of the Board; and

WHEREAS, it is the intent of the Board of Directors to institute such rules and procedures;

NOW, THEREFORE BE IT RESOLVED THAT these guidelines for Administrative Resolutions be adopted:

1. Procedure for Adoption. The proposed Administrative Resolution shall be included in the published Board agenda for the meeting at which it is to be considered. The Secretary will review the proposed Resolution for consistency with previously adopted resolutions. The proposed Resolution may be amended and/or adopted by the Board. If the Resolution is adopted, it shall be placed in the Book of Resolutions and printed in its entirety in the first Association Newsletter to be published following the adoption of the Resolution. If the resolution affects a major portion of the Members of the Association, or if it affects all Members of any Class of Membership in the Association, the Resolution shall be distributed to all Members of the Association.
2. Duration. Administrative Resolutions shall remain in effect for a period of two (2) years from the date of adoption or any subsequent amendment by the Board, unless a lesser period is stated in the Resolution. The Secretary shall place on the agenda of the Board consideration of any resolution due to expire forty-five (45) days prior to its expiration.
3. Amendment. Administrative Resolutions may be amended by the Board of Directors with the approval of a majority of the directors.

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 5
FISCAL PLANNING**

WHEREAS, Article III of the Declaration of Covenants and Restrictions of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC, charges the Association with certain community service responsibilities; and

WHEREAS, Article VI, Section 2, (C), (J), (L), and (M) of the Bylaws of the HVCSA charges the Board of Directors to set assessments and penalties for nonpayment; and

WHEREAS, there is need to provide a sound financial plan for the delivery of such services; and

WHEREAS, it is the intent of the Board of Directors to adopt an annual budget for each fiscal year:

BE IT FURTHER RESOLVED THAT:

1. The Board of Directors is hereby authorized to appoint a Budget Committee in September of each year.
 - a. The Treasurer will serve as the Chair of the Committee
 - b. The Board President will serve as an ex officio member
2. The Treasurer will present the proposed budget with report of recommendations for implementation at the November Board Meeting. Upon approval of the budget by affirmative vote of two-thirds (2/3) of the Board of Directors, the Treasurer is hereby authorized to:
 - a. Implement the budget
 - b. Provide a copy of the approved budget to the HVCSA Membership within thirty (30) days of approval
3. Budget Adjustments
 - a. The Treasurer is hereby authorized to reallocate amounts among the various line items within a budget category upon approval of the Board of Directors.
 - b. The Treasurer will consider expenditures which result in no more than the lesser of Five Hundred Dollars (\$500) or a 10% increase in the amount of a Chart of Account (COA/"line item") budgeted to be transferred from the Miscellaneous Expenditures COA. Upon approval by the Board of Directors, the Treasurer will advise the Community Manager of course of action.
 - c. The Treasurer will present proposed increases in expenditures for the amount budgeted for a COA greater than Five Hundred Dollars (\$500) or 10% over the budgeted amount to the Board of Directors for discussion (including need for bids per Section 5), approval, and direction for funding. The Treasurer will advise the Community Manager of course of action.
4. Funding the Budget
 - a. The Annual General Assessment must be sufficient to meet the financial needs of the Association for the fiscal year. Pursuant to approval of the budget, the Board of Directors will consider the amount per homeowner required to meet the needs of the Association.

- i. The Annual General Assessment will be approved by the Board of Directors during the November Board Meeting.
 - ii. Homeowners will be notified no later than thirty (30) days prior to the due date of the amount of the Annual General Assessment, with the provision for payments in monthly installments included for communication purposes.
 - b. The Annual General Assessment is due on January 1 of the year, and is delinquent if not received by the close of the fifth (5th) calendar day of the month. Partial payments, including monthly installments, are due and delinquent in the same manner.
 - i. Refer to Policy Resolution *General Assessment Arrear Accounts Penalties and Suspensions* for details
 - ii. Non-receipt of a bill or invoice does not relieve the Owner of the obligation to pay the amount due by the due date
- 5. Bids and Work Completion
 - a. Any project expected to exceed \$500 or 10% over the budgeted amount for any COA requires three (3) bids and Board of Directors' approval
 - i. Emergency services (including, but not limited to: water leaks, electrical problems) are exempt from bids.
 - ii. Routine services (including, but not limited to: tree services, electrician, plumbing) may be provided by a single contractor after the Board of Director's discussion and vote.
 - b. All contracts must be re-bid on a yearly basis unless otherwise agreed by the Board of Directors
 - c. All annual bids, including renegotiation of existing contracts, must be submitted for Board of Directors' review by September 30 to allow discussion and voting to approve at the October meeting.
 - d. Completed work must be evaluated by one Member of the Board of Directors, designated at the time the bid is accepted.
 - i. The designated Board Member may request assistance from or consult another person or persons with experience in the work completed.
 - ii. Consultants will not be remunerated for advise
 - iii. Payment for the service(s) bid will be withheld if work quality does not meet expectations, standards, or code (as applicable).

HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 6
GENERAL ASSESSMENT ARREAR ACCOUNTS PENALTIES AND SUSPENSIONS

WHEREAS, Article I, Section 3, of the Declaration of Covenants and Restrictions of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC, describes the Book of Resolutions, to further govern the Association; and

WHEREAS, Article VIII, Section I and 2, of the HVCSA Bylaws charges the Board of Directors with powers and duties for the administration of the Association, it is the intent of the Board of Directors to establish such procedures; and

WHEREAS, Article V Covenant for Assessments, Section I, second paragraph of the Declaration of Covenants and Restrictions of the HVCSA, provides creation of lien and personal obligation of assessments, interest for default payments, and the costs of collection; and Section 7 of the same provides acceleration of payment to declare the entire balance of assessment due and payable in full for the year; and

WHEREAS, Article IV Common Area, Section 3, Extent of Members' Easements, (b) provides for the right of the Association to suspend the right of an Owner to use recreational facilities for unpaid assessments; and

WHEREAS, Article VII, Section 2, (C), (L) and (M) of the HVCSA Bylaws provide further Board of Director actions to penalize Members with unpaid assessment installments,

NOW, THEREFORE, BE IT RESOLVED THAT the procedures established by the Board of Directors be adopted as follows:

1. All assessments, fines, fees or other funds due the Association by a Member are due the first (1st) calendar day of each month. Amounts are considered past due if not received by the end of the fifth (5th) calendar day of the month. Any delinquent amount will be assessed a 10% late fee.
2. Any Member whose check is non-collectible will be charged the Management Company's insufficient funds (NSF) fee, due with the resubmission of payment of the month's dues and late fee. Any non-payment of the NSF fee will be managed pursuant to procedure #1.
3. After a Member's account has been delinquent for thirty (30) days, the Association's designated agent will notify the Member in arrears of:
 - a. The amount due in full within thirty (30) days, including the following month's installment
 - b. Intent to Lien
 - c. Intent to Accelerate Payments for the remaining General Assessment fee for the year (the General Assessment fee for the year, minus what installments have been paid during the year, will become due in full).
 - d. Continue suspension of use of recreation facilities, including the renting of the Clubhouse
 - e. Requirement to settle the account within thirty (30) days of notice to avoid further penalties
4. If a Member neither settles the account nor contacts the Association to make

arrangements to update the account after sixty (60) days, the Association will:

- a. Cause a lien to be placed on the property
 - b. Accelerate General Assessment payments due until end of year
 - c. Suspend the Members' and associates' use of recreation facilities
5. If a Member fails to settle the account within ninety (90) days after due date, the Board of Directors cause an action at law to be brought against the Owner personally obligated to pay the same

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 7
PETS IN HIDDEN VALLEY**

WHEREAS, Article 1, Section 3 of the Declaration of Covenants and Restrictions of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC, provides for a Book of Resolutions to further govern the Association; and

WHEREAS, Article VIII, Section 1 and 2 of the Bylaws gives power and duties of the Board of Directors to adopt and enforce rules and regulations; and

WHEREAS, it is the intent of the Board of Directors to institute such procedures;

NOW THEREFORE, BE IT RESOLVED THAT, any pet in Hidden Valley must be under the control of the Owner at all times. This Resolution pertains to, but is not limited to, noise and nuisance problems created by any pet:

1. When any pet is off the Owner's premises, it must be on a leash and all droppings must be picked up immediately.
2. Noisy pets left unattended in yards or patios when no one is at home are considered to not be under the control of the Owner.
3. Residents wishing to make an animal noise complaint should call 311 or fill out an Animal Noise Complaint Form on the City of Albuquerque website. (www.cabq.gov)

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 8
VEHICLE PARKING AND STORAGE: RULES AND PENALTIES**

WHEREAS, Article I, Section 3, of the Declaration of Covenants and Restrictions of the HIDDEN VALEY COMMUNITY SERVICES ASSOCIATION, INC, describes the Book of Resolutions, to further govern the Association; and

WHEREAS, Article VIII, Section 1 and 2, of the HVCSA Bylaws charge the Board of Directors with powers and duties for the administration of the Association, it is the intent of the Board of Directors to establish such procedures; and

WHEREAS, Article III, Section 1 and Article IV, Section 3, HIDDEN VALEY COMMUNITY SERVICES ASSOCIATION, INC, Supplemental Declaration of Covenants and Restrictions provides parking rights and restrictions upon use and storage of vehicles and/or recreational equipment; and

WHEREAS, Article I, Section 4, of the Declaration of Covenants and Restrictions describes the definition and use of common areas; and Article IV, Sections 1, 2, and 3 (a) and (b) of the Declaration of Covenants and Restrictions declares the obligation of the Association, describes the Members' Easement of Enjoyments, and Extent of Members' Easement: and Article VI, Section 1, (a), (d), and (e) declares the use of property, nuisances, rules and exceptions: and

WHEREAS, there is a need to establish penalties and enforcement procedures for violations of said Articles, and there is a need to amend and reinstate penalties, suspension and enforcement procedures, and:

NOW, THEREFORE, BE IT RESOLVED THAT the procedures related to all vehicles established by the Board of Directors be adopted as follows:

1. Vehicles parked anywhere in Hidden Valley, including driveways, must have current registration and license and must be maintained in proper operating condition so as not to be a hazard or nuisance by noise, exhaust, emissions, or appearance.
2. No vehicle shall be parked on any street in Hidden Valley between the hours of 11:00 PM to 6:00 AM.
3. No vehicle shall be parked on any street on an HVCSA designated trash pick-up date until confirmed garbage and recycle bin emptying has been completed.
4. Vehicles parked in driveways shall not overhang or block the sidewalk, gutter or street.
5. The Clubhouse parking lot at the end of Cottonwood is to be used only by residents and their guests who are using the pool and/or pond areas. No overnight parking is permitted.
6. No vehicle may be parked on the grass, gravel or any other landscaped area, whether on Owner's lot or the Common Area.
7. Visitor Only parking spaces on Hackberry, Nandina Lane, and Meadow Green may be used only by visitors and may not be used by residents of Hidden Valley.
8. Recreational vehicles, boats and trailers are not permitted.
9. Vehicles shall not bear advertising in Hidden Valley
10. Special Temporary permits may be issued at the discretion of the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED THAT: The following penalties and enforcement procedures be adopted as follows:

1. Any vehicle in violation of any of the foregoing polices or procedures will be subject to a written notice of the violation which will also include an order of correction placed on the vehicle. The vehicle make, model, license plate, and time, date and location of violation will be recorded, and retained by the management company.
2. Homeowner/lessees associated with vehicles with expired registration/license plates will be provided one (1) warning notifying them that they have fourteen (14) calendar days to provide valid proof of current registration. If valid registration is not provided by 5:00 PM on the fifteenth (15th) day, a fine of one hundred dollars (\$100.00) will be assessed to the account of the homeowner responsible for the vehicle in violation of the foregoing provisions. An additional fine of one-hundred dollars (\$100.00) will be imposed for each additional week that the vehicle remains unregistered. Unregistered vehicles on the Common Area may be towed immediately.
3. Vehicles parked on street after hours will be provided one warning to correct the violation. If the violation is not corrected, or the vehicle is parked in violation a second time, the vehicle will be towed at the vehicle Owner's expense.
4. Vehicles parked on grass, gravel, or any other surface of the Common Area other than the street will be towed without notice.
5. Vehicles parked on the grass or gravel of an Owner's lot will be fined \$100.
6. Vehicles of Hidden Valley occupants parked in Visitor Only parking spaces will be provided one warning. A fine of one-hundred dollars (\$100.00) will be assessed to the account of the homeowner responsible for the vehicle for subsequent violations.
7. All other violations will be given an initial warning. If the violation is not corrected or occurs a second time a one-hundred dollar (\$100.00) fine will be assessed to the homeowner's account.
8. In the event the need for towing is determined, a towing company will remove the violating vehicle, and/or recreational equipment to a usual and customary storage facility in or around Albuquerque, New Mexico. All costs related to such removal and storage shall be the sole debt and responsibility of the vehicle Owner.

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 9
ARCHITECTURAL REVIEW BOARD STANDARDS AND PROCEDURES**

WHEREAS, the Declaration of Covenants and Restrictions of the HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC, Article III, Section, provides for the Composition, Powers and Duties, Failure to Act and Appeal of the Architectural Review Board (ARB), and

WHEREAS, the HVCSA Bylaws, Article XIII, defines the Composition, Duties, Procedures, Failure to Act, and Appeal for the Architectural Review Board,

NOW, THEREFORE BE IT RESOLVED THAT the ARB shall:

1. Review all written applications for improvements to Lots and/or Living units, including landscaping, submitted by Owners.
 - a. Forms are available on the Hidden Valley website: www.hiddenvalleyabq.org, or, on the Management Company website
 - b. Applications for improvements for the Common Area must be initiated by the Board of Directors (BoD).
2. Review the HVCSA Residential Architectural Guidelines annually. Revisions to the Guidelines must be submitted to the Board of Directors for approval and subsequent posting on the Hidden Valley website(s).
3. Review each application and render decision in writing within thirty (30) days of submission. For an application not acted on within thirty (30) days from submission, approval will be deemed granted.
4. Confirm that all projects are completed within six (6) months unless an extension has been granted by the ARB.
5. Inspect each Hidden Valley property/unit at least every six (6) months to monitor properties for compliance with architectural standards. The ARB will submit their findings to the BoD no later than the next monthly Board Meeting. Owners will be notified within two (2) weeks in writing of violations. Such notification shall include a timeframe for completion of corrective action.
6. Present orally at the monthly BoD Meeting, a brief summary of its activities during the preceding month. A complete written summary will be provided for attachment to the meeting minutes.
7. Shall maintain a log of all applications for property improvement which should summarize all pertinent information as well as actions taken or pending.
8. A candidate for the Architectural Review Board must have been current on the property ledger account for one-year prior to nomination for service.

NOW, THEREFORE BE IT ALSO RESOLVED THAT:

1. A fine of up to five hundred dollars (\$500) may be imposed by a 2/3 vote of the BoD for failure to submit an application and obtain approval prior to beginning any project.
2. Additionally, a fine of up to one hundred dollars (\$100) per month may be imposed by a 2/3 vote of the BoD for failure to reverse any unapproved project until such reversal is accomplished.

3. An applicant may appeal an adverse decision by the Architectural Review Board to the Board of Directors.
4. The BoD, at its option, may enforce any provisions of the Governing Documents by using other enforcement procedures provided by said documents.

HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC
POLICY RESOLUTION 10
OWNER (LANDLORD)/LESSEE (TENANT) RESPONSIBILITIES

WHEREAS, the HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC, Policy Resolution titled *Classifications of Resolutions*, Paragraph One states: “Policy Resolutions shall include those resolutions adopted by the Board of Directors which specifically relate to the long term governance of the Association, including but not limited to the actions affecting Members’ rights of enjoyment, actions affecting Members’ obligations, and protection of the equity of the Association and its Members;” and,

WHEREAS, Article I, Section 3 of the Declaration of Covenants and Restrictions describes the Book of Resolutions to further govern the Association; and,

WHEREAS, Article VIII, Section 1 and 2 of the Bylaws charges the Board of Directors with powers and duties of the administration of the Association; and,

WHEREAS, Article IV, Section (b) of the HVCSA Articles of Incorporation, and Article III, Section 3, Part C, subpart (2) of the HVCSA Declaration of Covenants and Restrictions state, “The powers and duties of the Association shall be to establish rules and regulations for the use of property;” and,

WHEREAS, Article I, Section 15 of the Declaration of Covenants and Restrictions, and Article III, Section 15 of the HVCSA Bylaws, which defines “Occupant” as the Owner, a contract purchaser, or lessee who holds a written lease; and Section 16 of each document which defines “Owner” as the record holder of the simple title to any lot; and,

WHEREAS, it is the intent of the Board of Directors to institute such procedures;

NOW, THEREFORE BE IT RESOLVED THAT: the HVCSA Board of Directors mandates these procedures be followed:

1. Owners/Landlords must notify the Association Management Company within fourteen (14) calendar days when a unit is rented or vacated
2. Effective January 1, 2014, Owners/Landlords must provide a copy of any lease or lease renewal agreements to the Association or to its Management Company within thirty (30) calendar days of the signing of the lease; OR, as an alternative to a copy of the lease or lease renewal agreement, the Owner/Landlord may provide the Association with a copy of the HVCSA Landlord/Tenant Registration Form. This form may be obtained by the Management Company, or from the HVCSA Website (www.hiddenvalleyabq.org).
3. The lease agreement or the Landlord/Tenant Registration Form must specify that the Lessee/Tenant has received a copy of the HVCSA Governing Documents, or, has access to the website(s) containing these documents. The lease agreement or Landlord/Tenant Registration form must specify that the Lessee/Tenant agrees to abide by the requirements in the Governing Documents.
4. Effective January 1, 2014, Owners/Landlords who fail to provide a copy of any lease or lease renewal agreements or the HVCSA Registration Form may be assessed an initial

fine of one-hundred dollars (\$100.00), and a twenty-five dollar (\$25.00) per month fine thereafter for each unit until the lease agreement or the registration form is provided.

5. The lease agreement or the Landlord/Tenant Registration Form must list the names of all tenants occupying the property. This information must be kept current.
6. The number of vehicles permitted may not exceed the total number of parking spaces of the unit's garage and driveway. The make and license plate number of all tenant's vehicles must be provided to the Association. This information must be kept current.

IT IS FURTHER RESOLVED THAT the following enforcement procedures be adopted:

1. Owner/Landlords are responsible for resolving any fines or sanctions imposed by the actions or inactions of the lessee/tenant.
2. Owners/Landlords are responsible for providing pool access cards to the lessee/tenants. Lost cards are replaced for a fee of twenty-five dollars (\$25.00), paid by the entity that lost the card. Pool cards are inactivated when any unit is vacated.
3. If the Owner/Landlord desires access to the pool for the Owner AND lessee/tenant, a second access card can be purchased by the Owner on a yearly basis for two-hundred-and-fifty dollars (\$250.00).

**HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC.
POLICY RESOLUTION NUMBER 11
IMPLEMENTATION OF ENFORCEMENT PROCEDURES**

WHEREAS, HIDDEN VALLEY COMMUNITY SERVICE ASSOCIATION, INC, Policy Resolution titled *Classifications of Resolutions*, Paragraph One states, "Policy Resolutions shall include those resolutions adopted by the Board of Directors (BoD) which specifically relate to the long term governance of the Association, including but not necessarily limited to, actions affecting Members' rights of enjoyment, actions affecting Members' obligations, and protection of the equity of the Association and its Members. All Policy Resolutions shall be recorded as Part One of the Book of Resolutions of the Association" and;

WHEREAS, Article 1, Section 3, of the Declarations of Covenants and Restrictions, describes the Book of Resolutions to further govern the Association, and;

WHEREAS, Article IV, Section (b) of the Articles of Incorporation of HVCSA and Article III, Section 3, Part (c), subpart (8) of the Declaration of Covenants and Restrictions states that the powers and duties of the Association shall be to perform such acts, as may be reasonably necessary or appropriate, including bringing suit, causing a lien to be foreclosed or suspending Membership rights to enforce or effectuate any of the provisions of the Declaration, these Articles, or the Bylaws, and;

WHEREAS, Article IX, Section 3 of the Declaration of Covenants and Restrictions of HVCSA clearly defines the right of the Association to enforce provisions of this Declaration, and;

WHEREAS, Article VIII, Section 1 and 2 of the Bylaws charges the BoD with powers and duties of the administration of the Association, and,

WHEREAS, penalties for owners in arrears on accounts are outlined in the Policy Resolution titled *General Assessment Arrear Accounts Penalties and Suspensions*; and vehicle parking and storage penalties are outlined in the Policy Resolution titled *Vehicle Parking and Storage: Rules and Penalties*; and Architectural Review Board penalties are outlined in the Policy Resolution titled *Architectural Review Board Standards and Procedures*; and rental/lease violation penalties are outlined in the Policy Resolution titled *Owner (Landlord)/Lessee(Tenant) Responsibilities*:

NOW, THEREFORE BE IT RESOLVED THAT, except in cases where damage or injury to persons or property is imminent as a result of a violation of the Governing Documents, the BoD will enforce the Documents as follows:

1. Any HVCSA Member recognizing a violation may submit a complaint in writing to the Management Company
2. The notice of the reported violation shall be mailed to the property owner with a copy to the tenant, if applicable.
3. The property owner shall respond immediately, or at a time determined by the BoD. The notice will include a statement describing the nature of the alleged sanction which will be imposed.
4. Sanctions will be imposed as follows:
 - a. 1st violation: Warning by regular mail, e-mail and phone call from the Management Company.
 - b. 2nd violation: If not corrected within the time frame determined by the BoD,

management will send a notification by mail, e-mail and phone AND will impose a fifty dollar (\$50.00) fine.

- c. 3rd violation: A fine of one-hundred dollars (\$100.00) will be imposed and legal action if authorized by the BoD. Management will notify the responsible parties by certified return receipt mail, e-mail, and phone.
 - d. Continued, uncorrected violation: One-hundred dollars (\$100.00) per month, or more depending on the infraction, will be imposed until violation is corrected. Management will notify by certified mail, e-mail, and phone.
5. Hearings: Within ten (10) days of notification of the violation, the homeowner may request a hearing with the BoD.
 6. Fines issued to the Association from the Albuquerque Bernalillo County Water Utility Authority (ABCWUA) but are incurred by a homeowner will be charged to the account of that homeowner.
 7. The BoD, at its option, may enforce any provisions of the Governing Documents by using other enforcement procedures provided by said documents.