

THE AMERICA COMMUNITY ASSOCIATION

POLICY RESOLUTION NUMBER 2003 -001

Relating to Rights and Responsibilities for a Better Community

WHEREAS, Section 3.1 of the Bylaws of The America Community Association ("Bylaws") assigns the Board of Directors ("Board") all powers and duties necessary for the administration of the affairs of The America Community Association ("Association") and states that the Board may do all such acts and things as are not by the law or the governing documents required to be exercised and done by the Association;

WHEREAS, Section 3.2 of the Bylaws provides that the directors shall exercise their powers and duties in good faith and with a view to serving the interests of the Association and the Association members;

WHEREAS, the Board of Directors wishes to establish standards for the operation and governance of the Association which serve as guiding principles for both volunteer leaders and members of the Association; and,

WHEREAS, the Board has determined that it is in the best interests of the Association and the Association members to adopt *Rights and Responsibilities for Better Communities*.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby adopts the *Rights and Responsibilities for Better Communities*.

Homeowners Have the Right To:

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and managers.
3. Participate in governing the Association by attending meetings, serving on committees and standing for election.
4. Access appropriate Association books and records.
5. Prudent expenditure of fees and other assessments.
6. Live in a community where the property is maintained according to established standards.
7. Fair treatment regarding financial and other Association obligations, including the opportunity to discuss payment plans and options with the Association before foreclosure is initiated.

8. Receive all documents that address rules and regulations governing the Association - if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Community Leaders Have the Right To:

1. Expect owners and non-owner residents to meet their financial obligations to the community.
2. 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.
3. Respectful and honest treatment from residents.
4. Conduct meetings in a positive and constructive atmosphere.
5. Receive support and constructive input from owners and non-owner residents.
6. Personal privacy at home and during leisure time in the community.
7. Educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

Homeowners Have the Responsibility To:

1. Read and comply with the governing documents of the community.
2. Maintain their property according to established standards.
3. Treat Association leaders honestly and with respect.
4. Vote in community elections and on other issues.
5. Pay Association assessments and charges on time.
6. Contact Association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
7. Request reconsideration of material decisions that personally affect them.
8. Provide current contact information to Association leaders or managers to help ensure they receive information from the community.

9. Ensure that those who reside on their property (e.g., tenants, relatives, friends) adhere to all rules and regulations.

Community Leaders Have the Responsibility To:

1. 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.
2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Understand the Association's governing documents and become educated with respect to applicable state and local laws, and to manage the Association accordingly.
5. Establish committees or use other methods to obtain input from owners and non-owner residents.
6. Conduct open, fair and well-publicized elections.
7. Welcome and educate new members of the community- owners and non-owner residents alike.
8. Encourage input from residents on issues affecting them personally and the community as a whole.
9. Encourage events that foster neighborliness and a sense of community.
10. Conduct business in a transparent manner when feasible and appropriate.
11. Allow homeowners access to appropriate community records, when requested.
12. Collect all monies due from owners and non-owner residents.
13. 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.
14. 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.
15. Initiate foreclosure proceedings only as a measure of last resort.

16. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
17. 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.

THE AMERICA COMMUNITY ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: _____ No. _____

Pertaining to: _____

Duly adopted at a meeting of the Board of Directors held _____

Motion by: _____ Seconded by: _____

| VOTE: | YES | NO | ABSTAIN | ABSENT |
|-------------------------|-------|-------|---------|--------|
| _____ President | _____ | _____ | _____ | _____ |
| _____ Vice President | _____ | _____ | _____ | _____ |
| _____ Treasurer | _____ | _____ | _____ | _____ |
| _____ Secretary | _____ | _____ | _____ | _____ |
| _____ Director | _____ | _____ | _____ | _____ |
| _____ Director | _____ | _____ | _____ | _____ |
| _____ Director | _____ | _____ | _____ | _____ |

ATTEST:

Secretary _____
Date

FILE:

Book of Minutes - 20 _____

Book of Resolutions:

| | Book No. | Page No. |
|----------------|----------|----------|
| Policy | _____ | _____ |
| Administrative | _____ | _____ |
| Special | _____ | _____ |
| General | _____ | _____ |

Resolution effective: _____, 2012
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