

**RESOLUTION OF THE
CENTRE POINTE STATION ASSOCIATION
ENFORCEMENT PROCEDURE**

The following policies and procedures were adopted by resolution of the Board of Directors ("the Board") of the Centre Pointe Station Association ("the Association") pursuant to Colorado law and the Declaration, Articles and Bylaws of the Association, at a regular meeting of the Board.

Colorado law requires the Association to adopt a policy concerning the enforcement of the Declaration, and Bylaws, and Rules and Regulations of the Association ("Governing Documents"). Furthermore the Association is allowed to levy reasonable fees for violations of the Documents and to seek reimbursement of its attorney fees and costs. The Board deems it desirable to establish and operate by procedures to insure due process in cases of alleged violations of the provisions of the Governing Documents.

THEREFORE, IT IS RESOLVED that the following procedures shall apply to a violation of the Declaration, Bylaws, or the Rules and Regulations. However, this resolution shall not apply to those sections of the Declaration and Bylaws concerning payment and collection of assessments.

1. Informal Resolution of Violation

Any Owner, tenant, or agent of the Association may directly request that an Owner or resident cease or correct any act or omission, which appears to be in violation of the Governing Documents. It is the preference of the Board that residents of the community attempt informal resolution prior to seeking formal resolution.

In the event the perceived violation is also a violation of Federal, state, or local laws or regulations, the Board may request the complaining resident to contact the appropriate government entity to report the perceived violation.

In some cases the Association may be more reluctant to institute litigation than is the complaining Owner. The Association would like this opportunity to advise the Owners that any person subject to the Association's Governing Documents and the Colorado Common Interest Ownership Act (CCIOA) may institute legal or equitable proceedings to charge violations of the Documents, and if successful, the complaining party is entitled to seek reimbursement of their reasonable attorney fees and costs.

2. Mediation

The Association encourages residents of the community to mediate with their neighbors on issues that impact the parties involved but not necessarily other residents of the community. The Association may, at the discretion of the Board, use mediation as a tool to address complaints alleging violations of the Association's governing documents.

3. Formal Resolution of the Violation

A. The Board or its agent may initiate Formal Resolution of violations upon observation of a violation; no written notice of violation is necessary

B. Residents of the Association may initiate Formal Resolution of violations by filing a written Report of Violation with the Association, delivered to the management company. The Report of Violation must clearly indicate the specific nature of the violation, the date, time and location of the violation, the witnesses of the alleged violation, and the name(s) or Unit number of the violator(s). At this time, the name of the Owner(s) or resident(s) making the complaint will not be divulged to persons other than the Board and its agents.

C. If, within the discretion of the Board, the written report does not allege facts necessary to constitute a violation, the complainant will be notified in writing as to why no action was taken. The complainant may request a reconsideration of the complaint at a subsequent meeting of the Board. The complainant is required to attend this meeting.

D. If the Board, having reviewed the allegations contained in the notice believes a violation of the Association's governing documents has occurred, the accused individual, or the Owner if the accused individual is a tenant, family member, guest, or invitee, will be notified in writing that a complaint has been made. The Notice of Violation Letter will include: (a) the nature of the alleged violation; (b) the action required to remove or correct the violation; (c) notification of any grace period, deemed appropriate by the Board, within which the violation may be removed without penalty.

E. Should further evidence of the alleged violation, beyond the grace period, be observed or reported consistent with 3(A), 3(B) and 3(C) above, a fine will be imposed. The fine notice will include an opportunity for the accused individual/Owner to appear at a hearing to explain why the fine should not be imposed. The Notice of Fine Hearing letter will include the date, place, and time of the hearing and a copy of the hearing procedure.

F. Hearings are generally scheduled to precede a regular meeting of the Board. Failure to appear for the scheduled hearing will be construed as an admission of the violation, at which point the Board may levy a reasonable fine against the Owner(s) for the alleged violation.

G. The fine hearing procedures shall be as follows:

1. Persons present may speak only after being recognized by the Chair. All remarks are to be addressed to the Chair. Each person who speaks shall be permitted to speak without interruption from anyone. Comments are to be offered in a civilized manner and without profanity, personal attacks or shouting.
2. The Chair will state the provision of the Declaration, Rule or Policy, allegedly violated, including the nature of the violation, consequences for noncompliance, and/or read the written complaint to the person charged.
3. The complaining witness(es) then presents evidence, if any, of details and circumstances giving rise to a violation of the Association's Governing Documents
4. The Board/Committee or Chair may then ask that person(s) questions.
5. The individual charged with the violation may present evidence/explanation why a fine should not be assessed.
7. The Board/Committee or Chair shall have the opportunity to question the individual charged with the alleged violation, or any other witness at the hearing.
8. At the conclusion of the hearing, the Board/Committee, in closed session, shall discuss the statements and vote whether or not the person charged violated the provisions of the Association's Governing Documents. A majority vote shall control. The result of the vote shall be recorded in the minutes of the meeting. The individual/Owner charged and the party or parties who filed the complaint will receive written notification of the Board/Committee decision.
9. If the Board levies a fine, the Board shall provide to the Owner written notice of the fine and the date payment of the fine is due. In the event the Owner fails to pay the fine consistent with the notification, appropriate legal action may be initiated by the Board to collect the fine.
10. The Board will use reasonable discretion in levying fines in accordance with the severity of the violation. The following is a schedule of the fine range for ordinary violations of the Association's Governing Documents:

First Violation	a warning letter
Second Violation	up to \$75.00
Third Violation	up to \$100.00
Fourth and Subsequent	at the discretion of the Board of Directors

4. Miscellaneous Provisions:

Person charged shall include the Owner of real property subject to the Association's Governing Documents whether it is a natural person or a legal entity.

Continuing violations shall constitute a separate violation for each 24-hour period the violation exists. If subsequent violations of the specific provision of the governing documents occur within twelve (12) months of the first notice, a fine will be imposed without a grace period.

Fines for violations of the governing documents will be imposed against the Owner and the real property subject to the Declaration.

Any and all money collected from such fines may be deposited in the Association's general operating fund.

In the event the violation is of a continuing nature or if the violation constitutes a threat to the health, safety, or welfare of the residents or the property within the community, the Association acting through the Board of Directors may institute an action in a court of competent jurisdiction seeking injunctive relief to abate the violation without proceeding through procedures set forth in 3(D), 3(E), 3(F), or 3(G) above. Nothing in this paragraph constitutes an election of remedies nor precludes the Board from levying fines as set forth above while at the same time seeking injunctive relief for violations of a continuing nature or violations that affect the health, safety, or welfare of the residents or the property.

In the event it is determined the Association was the prevailing party in the suit the Association shall be entitled to seek reimbursement of its costs including reasonable attorney fees, court costs, and other legal costs; conversely, if it is determined the Owner was the prevailing party, the Owner shall be entitled to reimbursement of the same expenses and costs.

In the event a Court of competent jurisdiction finds a provision of this Enforcement Policy void or otherwise unenforceable, the other provisions shall remain in full effect.

This procedure was adopted this 24th day of January 2008 by resolution of the Board of Directors of the Centre Pointe Station Association, a Colorado non-profit corporation.

By _____
Its _____
James E Jones
President

Report of Violation

Date: _____

Your Name: _____

Your Address: _____

Your Telephone Number: _____

Your E-mail address: _____

Information regarding incident(s): (Please include as much information as possible.)

Name of person committing the alleged violation:

Address of person committing the alleged violation:

Date(s) of alleged incident(s): _____

Please describe the incident(s) in as much detail as possible (use additional sheet(s) if necessary):

What statutes, covenants, or other rules were violated (please identify specific sections):

Did anyone else witness these incidents: _____
If the answer is "Yes," please state the witnesses' names, addresses and telephone numbers: _____

Please sign below:

Date

Please send completed form to:

**Centre Pointe Station Association
C/o Western States Property Services, Inc.
10020 E. Girard Avenue, Suite 175
Denver, CO 80231**