

CNRE PROPERTY OWNER COMPLAINT RESOLUTION PROCEDURE

The following guidelines are the preferred method of dealing with complaints. The purpose of these guidelines is to encourage community harmony and protect property values.

1. Confirm with complainant that they want to make a formal complaint to BOD.

No – Not really, in which case the listener simply needs to be a good listener.

Yes – Proceed with this process.

2. Is complainant an owner?

No - Refer complaint to SO.

Yes – Regardless of if the issue is an owner-to-owner issue or a community issue, direct the complainant to discuss with the offender.

3. Does the offender resolve the issue?

Yes - Issue is closed.

No – If the complainant believes the violation is a community issue, the complainant is to provide a written complaint to the BOD. The written complaint is to include the specific deed restriction being violated, any evidence and both the complainant's and offender's names or address.

4. BOD determines if a violation is valid.

No – Refer complainant to SO.

Yes – Put in place the 'conflict resolution' process as follows:

A. BOD Member to discuss with offender and request correction or mail a letter to the owner stating the complaint requesting a resolution by a specific date.

– if owner complies, issue is closed.

B. If the owner does not resolve the issue, inform the owner that the issue will be discussed with the Community with the intent of determining the best plan of action, which may include legal action. Intent to discuss the issue must be both announced to the Community prior to the meeting and discussed at the announced Community meeting.

C. If the Active Members at the Community meeting vote that it is time to take legal action, the owner is to be so informed in writing and provided with an additional amount of time, not to exceed 90 days, to resolve the issue. The CNRE Membership may also approve for the BOD to take the necessary legal action if the offender hasn't responded with an adequate plan of action or refuses to comply prior to the next Community meeting.

D. If the issue is not resolved by this latest Community deadline, the BODs will take the legal action approved by the CNRE Membership. (The BOD, also known as Association officers, as an entity or individually, is prohibited from utilizing Association funds for legal expenses without Community approval.)

E. If the issue goes to Court, the desired Court is the Justice of Peace. (District Court is more expensive. If insistence on using District Court is pursued, then the Community must vote to use it.)

F. A member of the BOD or a person selected by the BOD is to represent the Community in the Justice of the Peace Court. The representative is not to be paid unless the Community specially agrees to do so.

G. The community is to be informed of the court's decision and the BOD is required to follow through with the Court's decision.