

ARBOR ROSES HOMOEOWNERS ASSOCIATION

Resolution of the Board of Directors

Unpaid Assessments - Termination of Utilities and Use of and Access to Recreational And Service Facilities

"Assessments," as used in this Resolution, includes all amounts assessed against an Owner, including, but not limited to common expenses, interest, fees, fines, attorney fees and all collection costs;

Owners are obliged to pay assessments pursuant to the bylaws and declaration; and failure to timely pay is a violation thereof;

From time to time Owners become delinquent in the payments of their assessments;

The Association uses assessments to pay for certain utility services as well as recreational and other service facilities; and ORS 94.630(1)(m) provides for the termination of utility services and termination of access to and use of recreational and service facilities;

NOW, THEREFORE, IT IS RESOLVED, that pursuant to ORS 94.630(1)(m) and Section 4.7(l) of the bylaws, the following steps be adopted to provide for the uniform and systematic procedure for the termination of utility services, including without limitation: internet service and use of and access to recreational and service facilities, including without limitation the pool:

1. If any Assessment remains unpaid by an Owner for more than three (3) months from the due date for its payment, the Board shall send a notice to the Owner, as provided in paragraph 2. The Board shall cause the utility service and recreational and service facilities to be terminated unless:

(a) Full payment is received within ten (10) calendar days of the date of the notice or

(b) The Owner requests in writing a hearing, as provided in the notice, within ten (10) calendar days of the date of the notice.

2. The notice shall be personally delivered or mailed by first class and by certified United States mail, return receipt requested, to the Owner at the address or addresses required for notice of meetings and, to the extent the Association's board is aware of non-owner residents, notice shall be either personally delivered, posted on the front door, or mailed by first class mail, addressed to the "Occupants of Unit " at the property address as well. The notice shall contain:

(a) The amount due as of the date of the notice, including late fees, interest, and other charges;

(b) A statement that the Board shall cause utility service and the use of and access to recreational and service facilities to be terminated unless either:

(i) Full payment is received within ten (10) calendar days of the date of the notice, or

(ii) The Owner requests hearing within ten (10) calendar days of the date of the notice;

(c) A statement identifying which utility services will be terminated and to which recreational and service facilities use and access will be denied.

(d) The procedure to request a hearing.

3. If an Owner requests a hearing within ten (10) days of the date of the notice, the Board shall set a hearing and give reasonable notice to the Owner of the date, time, and place of the hearing. The Board shall either render its decision at the conclusion of the hearing, or take the matter under advisement and render the decision at a later Board meeting. All decisions of the Board shall be in writing, a copy of which shall be provided to the Owner within seven (7) calendar days of the determination.

4. Costs associated with termination of utility services or use of or access to recreational or service facilities shall be added to the Owner's monthly assessments and be paid for by the Owner.

NOW, BE IT FURTHER RESOLVED, that nothing in this Resolution precludes the Board from taking further action in the collection of unpaid Assessments permitted by the Association's governing documents or applicable law.

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to all Owners at their last known address.

ATTEST:

President

Date

Secretary

Date