

**ADMINISTRATIVE RULES AND REGULATIONS FOR
COLONIAL FOREST CONDOMINIUM OWNER'S ASSOCIATION**

The following Administrative Rules and Regulations, previously adopted by Declarant acting for the Board of Directors, are herewith re-adopted by the Board of Directors of the Colonial Forest Condominium Owners Association pursuant to Article 10.4.1 of the Declaration, recorded in King County under file number 7806190622, with certain amendments and additions. These Rules and Regulations, as well as any future additions and changes adopted by the Board of Directors shall, in accordance with said Declaration, be binding upon all owners, occupants, and all other persons claiming an interest in any unit or common area of Colonial Forest Condominiums and shall be enforceable as provided in Article 16 of said Declaration and as set forth in Rule 12 of these Administrative Rules and Regulations.

The degree to which residents respect each other's rights will ultimately shape the quality of life at Colonial Forest. These Rules and Regulations clarify and expand upon the policies and procedures defined in the Covenants, Conditions and Restrictions (CC&Rs) and By-Laws for Colonial Forest. In this regard, it is incumbent upon the Board of Directors to invoke all measures necessary to enforce these rules and regulations.

The Rules and Regulations have been adopted by the Board of Directors of Colonial Forest Condominiums in accordance with the Declaration (CC&Rs) and By-Laws to: 1) protect the architectural integrity and harmony of the community; 2) promote the safety and welfare of residents; 3) ensure the quiet enjoyment of the community; 4) protect the interest of all parties; 5) enhance and maintain property values; 6) provide order and consistency; 7) ensure proper behavior; and 8) minimize problems and maintain an acceptable quality of life for all residents.

RULES AND REGULATIONS

Enforcement of these rules is set forth in Rule 12 of these Rules and Regulations.

RULE 1 - ADMISSION TO PROPERTY

- a. All persons operating a motor vehicle within the confines of Colonial Forest shall operate that vehicle in a safe and reasonable manner and at a speed consistent with weather and traffic conditions. Maximum speed is 15 MPH.
- b. Guests and visitors shall be subject to the same rules and regulations as residents and it shall be the responsibility of each resident to ensure that their visitors and guests observe such rules and regulations.

RULE 2 - EXTERIOR APPEARANCE (Declaration Article 11.6, 11.7, 11.8 & 11.13)

- a. Residents shall not change the exterior appearance of any building/unit, grass, gardens, common areas or paved area in the complex without obtaining expressed written permission from the Board of Directors prior to the change or the resident will be required to return it back to its original condition at the resident's expense per the Declaration (CC&Rs).
- b. All requests for exterior modification must include plans submitted to the Board of Directors in advance of installation such as dimensions, specifications, color, etc. This includes requests for wheelchair ramps, changes to vinyl fencing, altering dimensions of wood porches and/or stairs, security cameras, additional lighting, etc. Anything mounted to vinyl siding such as security cameras or additional lighting must be approved by the Board of Directors prior to installation to avoid potential damage to siding. Recreational equipment that is permanently attached in common or limited common areas such as basketball hoops, slides, play equipment, etc. are prohibited.
- c. Window coverings must be curtains, blinds or shades. Hanging sheets, blankets, or cloth in windows is prohibited. Window dressings shall be white or off white on the outward-facing side in order to maintain a consistent appearance throughout the complex. Drapes can be lined with white or off white so that it does not restrict the interior taste in color and pattern of the homeowner. All window dressings shall be maintained in good condition and have a neat appearance from the outside. Plastic film on windows, either inside or outside, is prohibited.
- d. Aluminum, faux wood, wood, fabric, cellular, bamboo, or rice paper window blinds are allowed as long as they are a white or off white and do not detract from the general appearance of the building and are maintained in good condition.
- e. Storm doors may be installed by residents on any exterior passage door providing they are one of the approved doors. See approved list on *colonialforest.net* or contact the management company.
- f. Personal items may not be stored in limited common or common areas. The Board of Directors may request the removal of any object(s) that detract from the general appearance of limited common or common areas.
- g. Personal gardens and decorations in the limited common and common areas are allowed if maintained regularly by the resident. Solar or battery powered yard lights are acceptable but must be neatly installed and kept in working order and must be installed so they do not interfere with the groundskeeper's ability to maintain the grounds.
- h. The groundskeepers will only pick up vegetation debris left along the curbs. A homeowner may request a barrel from the groundskeepers whenever a large amount of vegetation is involved.

- i. Residents who want to maintain their own gardens are required to request a "Resident Garden" sign from the groundskeepers for display in the garden. Residents are required to keep the Resident Garden neat in appearance, free of weeds. Any plant or shrub that is deemed to be a noxious weed is strictly prohibited. All plants must be trimmed so there a distinct six (6) inch separation from the exterior of the building and all branches or other growth must not hang over a common area. If not properly maintained, the Board of Directors has the authority to revoke privileges at any time and on-site staff will resume maintaining that area. Any rose bush not clearly identified as being part of a homeowner's Resident Garden is subject to removal.
- j. The grey decks, porches and stairs shall be maintained by the homeowner. This includes the white 6" fascia board (trim piece) immediately below the deck. The approved grey paint code is available on *colonialforest.net*.
- k. Outside lamps attached to buildings and garages shall be kept clean and painted by the homeowner. The color must be the same color (white or black) as the railing color of the building. If replacement is necessary, examples of approved styles are available at *colonialforest.net*. Light bulbs for outside lamps will be replaced by the Association.
- l. All iron railings will be maintained by the homeowner. Railings must be kept free of rust and painted with the same color (white or black) as the entire building. Railings may not be covered with any substance such as tape (decorative or otherwise).
- m. Lattice must be clean and in good condition. The approved style for replacement lattice is the small square pattern. It can be wood but the preferred replacement is plastic as it wears better and requires less maintenance. Lattice replacements are the responsibility of the resident.
- n. All outside doors and windows (including storm doors) must be maintained in good condition. Owners are responsible to keep exterior doors rust free and painted whenever necessary. For increased security, 32" doors with a ½ windowpane may be replaced with a solid door, but the door must be a white 6-panel door. Outside doors may be white metal or fiberglass but must be 6-panel style. Detached garage interior doors may remain the original flat style. Storm doors must be in good condition, e.g., no missing or torn screens. Any broken or damaged windows in units or garage doors must be replaced.
- o. For replacement information regarding outside lamps, storm doors, porch/deck boards, lattice, railings, windows, individual unit fencing/gates, and protective plexiglass for decks/porches, go to *colonialforest.net*. If an owner performs a thorough search and finds that a certain approved replacement item is no longer available, contact the Board of Directors regarding any alternatives prior to purchasing and installing a replacement item.
- p. Air conditioners that have an exhaust duct hose that vents from inside the unit through an outside window via a frame or window kit are acceptable. Any air conditioner that is designed to be placed in, or hangs from an exterior window, or in any other way is placed outside of the building unit is prohibited.
- q. Heat pumps of any classification or manufacturer are prohibited in Colonial Forest, both outdoors and indoors as detailed at *colonialforest.net*.

RULE 3 – DECKS AND PATIOS (Declaration Article 11.8 & 11.9)

- a. Residents shall not hang, store, or dry any rugs, garments, or other such items from porches, rails, windows or doors of any unit. Strings of lights of any color are prohibited around any outside surface such as decks, porches, windows, or shrubs except for holiday decoration as specified in Rule 6.a.
- b. Exception is made for planters securely fastened to the rail. Hanging baskets may be utilized on the side and rear decks and patios of a unit providing the baskets are kept neat and clean in appearance. Hanging baskets are limited to four per deck side or porch, patio, garage side (detached garages) or building side (end units). Plants and pots must be removed immediately if the plant(s) die or if artificial plants fade. Homeowners are responsible for the proper disposal of unused or empty hanging baskets and faded artificial flowers or plants. Storing empty hanging baskets or pots on decks, porches, gardens, or common areas, driveways or sidewalks is prohibited.
- c. Round planters more than 18” in diameter and/or rectangular planters longer than 24” are limited to four per deck side or porch. Wooden “whiskey barrel” type planters are prohibited on decks and porches.
- d. Decks, porches and patios should not be used as storage areas; however, boxes specifically designed for patio/deck storage are approved as long as they are of reasonable size and blend in with the surrounding color scheme.
- e. Only furniture specifically for outdoor deck and/or patio use is allowed. Other approved items are deck/patio appropriate decorations, plants, etc.
- f. All Grills / BBQ’s / Smokers / Hot cooking sources, regardless of fuel type (charcoal, propane, gas, electric, etc.), are prohibited from use on all patios, porches and decks. They can be stored in garages if cool. When they are in use, they are required to be 10 feet or more away from all buildings.
- g. All seed and suet type bird feeders are prohibited on Colonial Forest grounds. Hummingbird feeders are acceptable but must be maintained.
- h. All buildings are pressure washed on a periodic basis. When the building is scheduled to be pressure washed, all small items stored on decks, porches and patios must be removed, and large items such as tables and chairs moved away from walls.
- i. Residents who want to attach a protective barrier on their deck for child or pet safety are required to use clear plexiglass. The plexiglass may extend from the deck flooring to the top of the railing but not beyond. Mesh or other types of barriers are prohibited.
- j. Exterior roll up shades on decks for sun protection or privacy must have prior approval by the Board. Each request will be reviewed on a case-by-case basis.

RULE 4 - SIGNS, BANNERS AND FLAGS (Declaration Article 11.10)

- a. Signs, notices, advertisements, posters, etc., shall not be displayed in or on Colonial Forest common or limited common areas or from any unit window, door, patio, porch, or railing, except as may be authorized in writing by the Board of Directors. Real estate agent posts may be installed outside the front and back gates. "Flyer Boxes" are permitted only at the back gate.
- b. On the day of an event, such as an open house, a garage or estate sale, or a personal event like a birthday or a baby shower, homeowners and realtors can use signs and balloons to advertise the event. All such materials must be removed by the end of the day of the event. To ensure the gates are open the day of the event, notify the Board or the management company one week in advance.
- c. Banners, flags, posters, signs, etc., in support of a particular sporting event are allowed to be displayed the day of the event but must be removed by the end of the same day.
- d. Flying an American flag from porches or decks is allowed but the flag must be kept in good condition and replaced when it becomes weathered. Flags should not be stored on porches unless it is in an enclosed storage container as outlined in 3.d.

RULE 5 - GARBAGE

- a. All residents must use the Waste Management (WM) garbage service. Residents shall store all garbage and trash in covered WM containers. Garbage and recycling containers must be stored in units and garages except on garbage pickup days. Receptacles designed for dog waste must also be stored inside or in the garage. Storing waste or garbage on decks or porches is prohibited. Depositing waste or garbage into another resident's garbage can without expressed permission from that resident is prohibited. Appropriate containers are permitted to be placed outside the evening before garbage pickup days. Empty garbage containers must be stored inside units or garages on the same day that the garbage has been collected.
- b. Residents are responsible to ensure garbage is secured so that it will not blow away or tip over. Do not overfill garbage cans as this attracts birds and animals. Any garbage that cannot fit in the can with lid secure must be bagged in strong, durable garbage bags that birds and animals cannot easily open. Overflow bags, if necessary, must be put out the day of garbage pickup. It is the owner/authorized resident's responsibility to immediately pick up any uncollected loose garbage or debris.

RULE 6 - USE OF PROPERTY AND SAFETY

- a. Holiday decorations may be displayed as long as they do not damage or disfigure any building, limited common or common area. Holiday decorations may be displayed up to one month prior to a given holiday and should be taken down one week after the holiday. An exception is made for the timeframe beginning after Thanksgiving Day. These wintertime holiday decorations may be displayed beginning the weekend after Thanksgiving Day and should be taken down by the weekend after New Year's Day.
- b. Illegal activities are not allowed on Colonial Forest property which includes all individual buildings and units, limited common and common areas.
- c. Charcoal burners and other open-flame cooking and heating devices, as described in 3.f, are expressly forbidden within enclosed unit and garage areas.
- d. Fireworks are strictly prohibited within Colonial Forest property. They are illegal in the City of Federal Way. Colonial Forest is within the city limits and must abide by the law.
- e. Owners and their visitors are accountable to comply with the Association's Rules and Regulations regarding noise, safety, etc., and are financially responsible for any damage to common areas or personal property. Therefore, the Association is not responsible to monitor owners or visitors to ensure that any activities take place safely.
- f. Cigarette butts are not to be disposed of on any common or limited common areas, which includes any concrete or asphalt surface, flower beds, or planter boxes.
- g. Display of "free" or "for sale" items such as furniture or household items in common areas is prohibited.
- h. Any tents or play items for children that are erected or used in common or limited common areas must be removed by the end of that same day.
- i. Owners/residents, their guests, or anyone hired by them, who cause pollutants such as paint, construction materials, or any oil or chemical based products to be washed down the storm drains are subject to fines by the City of Federal Way for violating Federal Way Revised Code, Title 16, Surface Water Management. The city can make unannounced inspections of the Colonial Forest property at any time and may cite and/or fine an individual found to be at fault.
- j. Smoke and carbon monoxide detectors are required for all units. Residents are responsible for keeping the detectors operable at all times.

RULE 7 - PETS (Declaration Article 11:11)

- a. Dogs are required to be on a leash and shall be accompanied by their owner or their owner's representative whenever the pet is in Colonial Forest common or limited common areas. The leash must be held at all times by a person capable of controlling the dog. This includes children

walking the animal. Dogs may not be let out or off leash at any time, day or night. Any owner allowing their dog(s) to be off leash for any reason will be subject to rules violations and fines as detailed in Rule 12.

- b. Cats are allowed to be off leash in Colonial Forest common and limited common areas provided they do not disturb other residents or damage residents' private or common and limited common area property. If two (2) or more complaints are received concerning any cat then these privileges shall be revoked and the cat shall be subject to the leash requirement of paragraph a. above.
- c. All pet defecation in common or limited common areas of Colonial Forest shall be picked up immediately by the pet owner or representative. Per Rule 5.a, receptacles designed for dog waste must be stored inside units or garages except on garbage pickup days. No dog waste receptacle or bag shall be stored on porches, railings, flower beds, or anywhere outside.
- d. All pet owners shall be responsible for the conduct of their pets. This includes but is not limited to:
 - 1. Continuous barking for long periods of times, especially during quiet hours.
 - 2. Damaging personal property of others or of the Association's.
 - 3. Threatening behavior to other residents or their pets.
 - 4. Otherwise preventing residents from enjoying the peaceful use of their property or Colonial Forest common or limited common areas.

Pet violations will be strictly enforced according to the procedure detailed in Rule 12. If written warnings and fines do not resolve an issue, the Board will require an owner to permanently remove the pet from the premises.

- e. Pets brought into Colonial Forest by visitors or guests shall be subject to rules a-d above and each resident shall be responsible and held accountable for pets brought into Colonial Forest by his/her guests and visitors.
- f. Pets shall be fed inside units or closed garages. Food or seed of any kind in common areas or limited common areas outside of units, if meant to feed animals or birds, is prohibited.

To comply with Federal Way City Ordinance Chapter 9.09.010(2), it is recommended that all cats and dogs be licensed with the City of Federal Way and have proof of current rabies vaccination.

RULE 8 - NOISE (Declaration Article 11.12)

- a. Residents are responsible to control noise that may disturb other residents, e.g., televisions, radios, stereo equipment, musical instruments, amplifiers, door slamming, pets, children, and social gatherings. Per Federal Way Code, Chapter 7.10.020 Public Disturbance Noise, a violation is, "The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment or condominium, which unreasonably disturbs or interferes with the peace and comfort of owners or possessors of real property . . ." Permissible levels of noise should diminish between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, and 10:00 p.m. and 9:00 a.m. on weekends.

RULE 9 - PARKING (Declaration Article 1e 11.3 & 11.5)

- a. Exterior parking is solely reserved for the homeowner's use of operational motor vehicles with current license tabs and commonly used for daily transportation.
- b. Vehicles not frequently driven are not allowed to park on the street or in additional unassigned parking spaces, as those spaces are limited and provided for the use of visitors, service vehicles, etc. Homeowner guests may park in a homeowner's designated parking area for extended periods. Guests are prohibited from parking in common parking areas longer than 72 hours. Guest vehicles must be operation and have current tabs.
- c. Boats, trailers, mobile homes, and other recreational vehicles may be kept within the confines of Colonial Forest for 24 hours preceding or following travel in order to load or unload such vehicles. Permission is required from the Board of Directors for parking of such vehicles for periods longer than 24 hours. Recreational vehicles may not obstruct or block exclusive-use parking of other residents.
- d. Each unit includes a garage as part of the unit. In addition to parking in the garage, the driveway immediately in front of each garage is for owner only exclusive use. For most units, there is one extra allotted parking space adjacent to the driveway parking space directly in front of the garage and is designated for the exclusive use of the owner. Any other parking needs of the owner or their guests will be on the street or other designated parking areas on a first come first serve basis.
 1. Owners and anyone residing with the owner shall park in the areas that are exclusive to their unit as described in 9.d.
 2. All other parking areas, e.g., adjacent to buildings, or any area along street curbing that is not painted yellow or blue, may be utilized by guests, visitors, and workmen on a first-come-first served basis. These areas may also be used by owners and residents, but only when they have fully utilized all exclusive parking, as described in 9.d, with their unit.

- e. The Board of Directors, at its sole discretion, and in compliance with RCW 46.55, may require the removal of any vehicle, whether owned by a resident or visitor, for conditions such as: flat tires, expired licenses, damage beyond drivability, improperly parked in a restricted area, parked in the entrance/exit lanes to owner parking areas in a way which restricts safe entrance or exit of owners to their assigned parking, or utilization of a parking space for long-term storage.
- f. Homeowners in violation will receive a warning letter and a parking citation placed on the vehicle. Owners will have one-week to respond to the violation before further action is taken. If a vehicle is inoperative and resolution cannot be reached within one-week after receipt of violation letter, the owner must garage the cited vehicle or store it offsite. Failure to respond to any parking citations as detailed above will result in the vehicle being removed from the Colonial Forest property with towing charges assessed to the registered owner.
- g. In emergency situations such as blocking access to a fire hydrant, obstructing traffic, etc., if immediate efforts to locate the owner are unsuccessful, the vehicle can be towed without warning.
- h. Any motor vehicle, whether owned by a resident or guest, that leaks fluid(s) onto Association maintained pavement and/or thoroughfares is prohibited. Owners must store vehicles leaking fluid(s) in the owner's garage or off site until the vehicle is repaired and can validate that it is no longer leaking fluid(s). Any damage to pavement areas caused by fluid leaks must be restored to the original condition as stated in Rule 2.
- i. Certain areas near intersections, gates, fire hydrants and other potential hazard areas are identified by curb markings with yellow paint as "NO PARKING" areas and shall not be utilized by any resident, guest, visitor or workman. This rule relates to access of emergency vehicles, and as such at the discretion of the Board of Directors the vehicle can be towed without prior notice at the owner's expenses.

RULE 10 - WHO CAN RESIDE IN OWNER'S UNIT IN OWNER'S CONTINUED ABSENCE

- a. Colonial Forest buildings and units shall be used for single family residential purposes only, on an owner-occupied basis. However, the rules allow directly related parties to reside in lieu of the owner. "Related parties" means a person who has been certified in a written document filed by the unit owner with the Association to be the spouse, parent, legal parent-in-law, sibling, legal sibling-in-law, parent's sibling, or direct lineal descendant or ancestor of the owner.
- b. Notwithstanding the foregoing to the contrary, a person who is the settlor and trustee of a living trust that owns an apartment shall be deemed to be the owner of the apartment for all purposes under the declaration.

- c. Any Colonial Forest owner not residing in the complex and allowing a related party as defined in 10.a above to live in his/her unit on an on-going basis is required to complete a contact form for emergency situations that lists the following:
- Name and contact information of all residing persons
 - Relationship to owner

RULE 11 - INFORMATION REQUIRED FROM ALL HOMEOWNERS

Note: This confidential information will be kept by the Homeowner's Association for contact purposes only. We respect your privacy and this information will not be shared with anyone.

- a. New homeowners are required to complete the *Colonial Forest Homeowner Information* form immediately as part of the process of moving in. Homeowners living either on-site or off-site must annually complete an updated form with their most current information. Prior to the annual update, if any information on the form changes, owners can provide that information in writing via email to Targa or colonialforest.net.
- b. The following information will be provided by homeowners via the *Colonial Forest Homeowner Information* form:

HOMEOWNER INFORMATION

Homeowner name

Building number

Unit number

Homeowner address

Homeowner phone number

Homeowner cell phone number

Homeowner email address

Name of any occupants if non-owner occupied

Relationship of all occupants to owner

Occupant phone number

Occupant email address

Make, model and license numbers of all vehicles on premises

PERSON TO NOTIFY IN CASE OF EMERGENCY

Name

Home phone

Cell number

Email address

Relationship

RULE 12 - ENFORCEMENT (Declaration Article 16)

The Colonial Forest Homeowners' Association has the ability to fine its Owners for violations of the Governing Documents under RCW 64.34.304(1) (k). This policy replaces any enforcement procedures in the Rules and sets out the procedures and policy for fines and due process.

1. Fines.

- a. An Owner may be fined for a violation of the Association's Governing Documents. The fines shall be assessed against the Unit, and the Owner of the Unit, and shall be collected as any other assessment.
- b. Any violation by any Owner, resident, occupant, tenant, animal, and/or guest of a Unit shall be treated as a violation by the entire ownership of the Unit and any fine resulting from said violation(s) shall apply against the Unit Owner.
- c. Failure of the Association to take action on any violation(s) shall not constitute a waiver on the part of the Association to take action for such violations or future similar violations, as the Board deems appropriate.
- d. The Board has adopted increasing fines for repeat violations and any violation that is considered a "continuing violation." A violation is a repeat or continuing violation as determined by the Board.

2. Notices of Violation.

- a. Contents of Notice.
 1. General Contents - All Notices will identify the section of the Governing Document(s) that was violated, and the actions or omissions that constitute the violation. The description of the violation will include details such as the location, date and time the violation occurred. Each Notice will also include the steps necessary for the Owner or Occupant to correct the violation and the date by which the measures must be completed to avoid another Notice.
 2. Specific Contents for each Notice
 - i. First Notice – Shall include General Contents, and request compliance with the Governing Documents.
 - ii. Second Notice – In addition to the General Contents, the Second Notice will provide an Owner an Opportunity to be Heard and a date by which they must request a hearing. The Second Notice will list the proposed fine as indicated by the fine schedule.
 - iii. Third Notice – In addition to the General Contents, the Third Notice will provide an Owner an Opportunity to be Heard and a date by which they must request a hearing. The Third Notice will also list the fine to be assessed for the violation in accordance with the fine schedule.

- iv. Subsequent Notices – In addition to the General Contents, any additional Notice will provide an Owner an Opportunity to be heard and a date by which they must request a hearing and explain what the fine will be for additional violations. In addition, this Notice will contain information about further legal action that may be taken by the Association if violations continue.
- v. Continuing violation – If a violation is continuous, as determined by the Board, and an Owner has received at least a Second Notice of Violation, the Board may choose to levy an ongoing daily or weekly fine in accordance with the fine schedule. The fine notice shall provide an Owner an Opportunity to be Heard and a date by which they must request a hearing. Examples of continuous violations: failure to perform required maintenance, failure to remove an unauthorized improvement, continuous rental of a Unit in violation of the Declaration.

b. Fine Schedule.

The Fine Schedule is as follows:

- FIRST VIOLATION No Fine
- SECOND VIOLATION \$75
- THIRD VIOLATION \$100
- SUBSEQUENT VIOLATIONS \$150 per violation
- CONTINUING VIOLATIONS \$50/day or \$200/week at the discretion of the Board

- i. If any fine assessed is not paid with the next regular monthly assessment, it will be dealt with in the same manner as delinquent assessments and will be subject to all of the same collection remedies detailed in the Governing Documents of the Association.
- ii. Owners and/or Occupants receiving Notices should deliver their responses to the Board of Directors or to the Association’s management company.

3. Due Process/Opportunity to be Heard Procedure

The following procedures allow members of the Association and the Board to review issues and evidence of a violation(s) and to consider appropriate action(s), if any, when requested by an Owner.

- a. If any Owner and/or Occupant feels that the enforcement for any rules violation has been issued in error, or would like to present information for any reason, they have the right to be “heard” before a panel of members of the Association.
- c. To obtain a hearing, the Owner and/or Occupant shall request a hearing from the Board of Directors, in writing, within 10 days of receiving a Notice of Violation.
- d. The Board of Directors will respond to the hearing request within 30 days following receipt of the written request, and will schedule a hearing. If any party desires to reschedule the hearing, the other party(s) shall be notified at least 10 days prior to the scheduled date of the hearing.

- e. The parties may provide the Board of Directors with a written summary of their positions 10 days prior to the hearing.
- f. The Board of Directors shall act as the Board for all due process hearings. The participants in the hearing shall be:
 - i. The Board members;
 - ii. The party(s) bringing the complaint (this party may be an Owner, and may be a Board member);
 - iii. The party requesting the hearing (this party shall be an Owner). The Owner may be represented by an attorney if the Board of Directors is informed in advance;
 - iv. Witnesses, if not included in above; and
 - v. Any and all other Owners that have or may have an interest or concern.
- g. The hearing will be informal with a Board member acting as chair. All sides will present evidence, witnesses, and testimony regarding the validity, non-validity, or other issues relevant to the complaint. The time allowed for such evidence, witnesses, and testimony may be limited by the Board. Minutes of the hearing will be kept by the Board or person designated by the Board. All evidence presented at the hearing shall become the property of the Association.
- h. If a hearing is requested and any of the parties fail to appear at the hearing, the Board will base its findings on information presented at the hearing or otherwise available to it.
- i. At the next regular Board meeting, or special meeting called for that purpose, the Board of Directors will consider the evidence and information available to it regarding the violation, and shall make a written finding as to whether a violation occurred and whether the Owner shall be subject to a fine. The written findings will be provided to all parties. Any party has a right to appeal the Board's decision (within 10 days of the issuance of the Board's written findings) by sending a written request to the Board of Directors. No appeal shall be granted in the event the party requesting the appeal failed to appear at the original hearing.
- j. Any appeals shall be conducted in writing, addressed to the Board of Directors. All materials for the appeal shall be delivered to the Board of Directors at least ten days before the next regularly scheduled meeting, and the appeal shall be placed on the meeting agenda. The Board shall consider the documents provided, and shall inform the parties of the Board's decision in writing no later than ten business days after the Board meeting.
- k. Nothing contained herein shall prevent the Association from taking any action to recover the cost of damages or injunctive relief, or both. Furthermore, the failure of the Association to take action on any infraction(s) or violation(s) shall not constitute a waiver on the part of the Association to take action for such violations, as it deems appropriate. In the event the Association does commence a lawsuit or undertake other legal action, it shall receive from the Owner reasonable attorney fees, expenses, and costs incurred for such action as provided by law.
- l. It is highly recommended that parties resort to mediation before any lawsuit is undertaken.

These Rules and Regulations as amended and revised were hereby adopted by the Board of Directors of Colonial Forest Condominium Owners Association in a regular meeting of the Board of Directors on December 15th 2022, pursuant to applicable By-Laws and Declaration Articles (aka CC&Rs). A copy of these Rules and Regulations were mailed to all Owners via regular U.S. Mail on or before January 1st 2023 and they have an effective date of February 1st 2023.

ORIGINAL SIGNED BY:

Kenneth E. Pratt

Ken Pratt, Board of Directors President

12-18-2022

Date

Marie Alba

Marie Alba, Board of Directors Secretary

12-18-2022

Date