

SEWICKLEY HEIGHTS MANOR HOMES ASSOCIATION

POLICY FOR ADDRESSING OWNER/RESIDENT COMPLAINTS

WHEREAS, the Units, Unit Owners and Residents of Sewickley Heights Manor Homes Association (“the Association”) are governed by a number of documents, including without limitation the Declaration of Covenants, Conditions and Restrictions (as amended) (“the Declaration”), the By-Laws (as amended) (“the By-Laws”), and the General Regulations Governing Buildings and Grounds (as amended) (“the General Regulations”); AND

WHEREAS, Article IX of the By-Laws empowers the Association’s Board of Directors (“Board”) to enforce the Declaration, the By-Laws and the General Regulations; AND

NOW THEREFORE, BE IT RESOLVED that with respect to any complaint by any of the Unit Owners with respect to an alleged violation of the Declaration, the By-Laws and/or the General Regulations (“Complaint”), the Association will utilize the following procedure for resolving said Complaint:

- A. In order to begin the Complaint resolution process, a Unit Owner must provide to the Association’s Board a written Complaint setting forth any alleged violation(s) of the Declaration, the By-Laws and/or the General Regulations which the Unit Owner desires the Board to address. Specifically:
 1. The Complaint must be in writing;
 2. The Unit Owner asserting the Complaint must be identified in and must sign the Complaint;
 3. The specific provision(s) of the Declaration, the By-Laws and/or the General Regulations that the Unit Owner alleges is/are being violated must be identified in the Complaint;
 4. If known, the person/entity allegedly violating the provision(s) of the Declaration, the By-Laws and/or the General Regulations must be identified in the Complaint;
 5. If known, the date and time of the alleged violation of the provision(s) of the Declaration, the By-Laws and/or the General Regulations must be identified in the Complaint;
 6. The Unit Owner asserting the Complaint and the resident(s) of the Unit (“Resident”), if different from the Unit Owner, must be available to testify at any hearings;
 7. Multiple Unit Owners may jointly assert a Complaint;
 8. Any member of the Association’s Board may also assert a Complaint; and
 9. The Chair of any of the Board’s duly-authorized Committees may also assert a Complaint.
- B. Upon receipt of a Complaint complying with Section A above, the Board, within thirty (30) days, shall review the Complaint and determine whether, in its opinion, the Complaint alleges a violation of a provision(s) of the Declaration, the By-Laws and/or the General Regulations.
- C. If the Board determines that a Complaint does allege a violation of a provision(s) of the Declaration, the By-Laws and/or the General Regulations, the Board will issue a letter (“Cure Letter”) to the alleged violator(s) setting forth the alleged violation(s) of the Declaration, the By-Laws and/or the General Regulations and a time period not less than ten (10) days during which the alleged violation(s) may be cured (“Cure Period”). A copy of the Cure Letter will be sent to the Unit Owner originating the Complaint.
- D. The issuance of a Cure Letter shall in no way be viewed or understood as an agreement by the Board that the Complaint has been proven or is correct. Rather, it is simply an acknowledgement by the Board that the Complaint, on its face, alleges a violation of a provision(s) of the Declaration, the By-Laws and/or the General Regulations. The purpose of the Cure Letter is to provide notice that a

Complaint has been filed and to provide the alleged violator an opportunity to cure the allegedly improper condition without the need for further Association intervention or action.

- E. If the alleged violation(s) set forth in the Complaint persist past the Cure Period, a hearing on the Complaint will be held as scheduled by the Board.
- F. In the event of a hearing, a hearing notice will be sent to the alleged violator stating:
 - 1. the alleged violation(s) of the Declaration, the By-Laws and/or the General Regulations;
 - 2. the time and place of the hearing;
 - 3. an invitation to attend the hearing and produce any statements, witnesses or other evidence on his or her behalf; and
 - 4. a statement that sanctions may be imposed as a result of the hearing.
- G. In the event of a hearing, a hearing notice also will be sent to the originator(s) of the Complaint inviting them to the hearing in order to produce any statements, witnesses or other evidence to substantiate the Complaint.
- H. The Board will hear testimony and/or review evidence at the hearing. The Board will then issue a written decision on the Complaint within five (5) days of the hearing, which decision shall be final. A copy of the decision will be mailed to the alleged violator and the originator(s) of the Complaint.
- I. Should the Board impose a fine or other sanction(s) upon the alleged violator, the Association may pursue non-payment of and/or non-compliance with said fine or other sanction(s), including, without limitation, the institution of formal legal proceedings for damages and/or equitable relief as provided for by law. The Association's efforts in this regard may include, but are not limited to, the filing of a lien on the offending Unit for non-payment and/or con-compliance with said fine or other sanction(s) and, ultimately, foreclosure if necessary.
- J. In the case of non-Owner occupied Units, all Residents and the Owner will be provided copies of all correspondence.

APPROVED: Date _____

President _____

Secretary _____