

**SOUTHRIDGE CONDOMINIUMS HOMEOWNERS ASSOCIATION, INC.
POLICY AND PROCEDURES RE: DISPUTE RESOLUTION**

WHEREAS, the cost, complexity and inherent delay in litigation makes it a particularly inefficient means of resolving disputes; therefore, it is in the common interest of the Association to adopt protocols for alternative dispute resolution as an alternative or precondition for the filing of a complaint.

WHEREAS, a written policy for procedures for addressing disputes arising between the association and unit owners is required by Colorado Revised Statutes 38-33.3-209.5(1)(b)(VIII) and § 38-33.3-124.

NOW, THEREFORE, BE IT RESOLVED, that Southridge Condominiums Homeowners Association, Inc. (the "Association") hereby adopts the following procedures to be followed for resolving disputes between Owners and the Association:

1. The initial attempt to reach a resolution between an Owner and the Association shall be in the form of a hearing with the Board.
 - a. Request for a Hearing: The Owner's request for a hearing shall be made in writing, by any means reasonably calculated to give notice to the Board. If the request is in response to a writing from the Board, the Owner shall respond with a written request for a hearing within 14 days of the date of the writing from the Board.
 - b. Scheduling the Hearing: The Hearing will be scheduled at the convenience of the Board, but must be scheduled within 30 days of the Owner's request. Unless advanced notice is specifically waived by the Owner, the Owner must be given at least 7 days notice of a hearing.
 - c. Presentation: At the hearing, the Owner will be given sufficient time to present argument and evidence. After the presentation, the Board will make a decision. To the extent that the Association relies on any of its own evidence, that evidence must be disclosed to the owner at least seven 7 days prior to the hearing.
 - d. Request for Mediation: If the Board makes a decision adverse to the Owner at the hearing, the owner may elect to submit the issue for mediation.

The request for Mediation must be made within 14 days of the Board's decision following the hearing.

2. If the dispute is not resolved through hearing, the Owner and Association agree to a good-faith mediation of the issues.

a. **Beginning Mediation:** The mediation process shall commence within 7 days of the Association's receipt of the Owner's demand for mediation.

b. **Choosing a Mediator:** The mediator will be selected at the mutual agreement of the Owner and the Association. If the parties cannot agree, each party will choose a mediator and those mediators will collectively choose a third mediator to hear the dispute.

c. **Cost of Mediation:** The cost of mediation will be borne 50% by the Owner and 50% by the Association.

d. **Termination of Mediation:** Either party may terminate the mediation process at any time without prejudice, following this policy's requirement of a good faith attempt to resolve the dispute at mediation.

e. **Violation of Mediation Agreement:** In the event either party violates an agreement reached in mediation, the other party may immediately apply to the court for relief.

3. **Amendment:** The Association may amend this procedure from time to time, consistent with the requirements of the Association's governing documents and Procedures for the Adoption and Amendment of Policies, Procedures, and Rules.

DIRECTORS CERTIFICATION:

Adopted on: March 21, 2022



By: Josh Steck, President

By: _____, Secretary