

## **Enforcement Policy Cooperative Management Inc.**

The purpose of this policy is to provide clarity of enforcement for the Board of Directors and the residents. This policy is consistent with the Cooperative Community Rules, Bylaws, and Space Lease.

At any point in this process residents may provide a **written** request to the Board to either deny the allegation, to request more time and/or explain the circumstances.

### **Step 1 - Verbal Friendly Rule Reminder (optional):**

Board of Directors and/or Rule Committee member **MAY** discuss the violation(s) with the Resident. Point out what the problems are and suggest solutions. Determine if there are extenuating circumstances. If there are extenuating circumstances this will be noted and given to the full Board in writing for the next scheduled executive session. Extenuating circumstances could be a short-term disability, a financial hardship, a permanent disability that may require a reasonable accommodation request.

If the resident is aggravated or unreasonable at this point, the contact person appointed by the Board may return at another time with the hope of a calmer demeanor or have someone else assist with this communication.

**The goal is to resolve the problem without needing to get into official enforcement.**

If the resident is violent, dangerous or threatens the contact person, this shall be documented and reported to the Board. No further verbal contact will be addressed with this household if this occurs.

Another way Board or Property Manager may achieve to Step 1 is reminders in the Newsletter.

### **Step 2 - Written Friendly Rule Reminder**

Board or Property Manager will send a “Friendly Rule Reminder” using a standardized template and citing the rule(s) in violations. Recipient will be given **14 or more days** from the date notice is sent to remedy the issue. A copy of the reminder will be saved in the resident’s file.

### **Step 3 - First Official Notice of Violation**

Failure to correct a violation(s) will result in a Rule Violation Notice from the Property Manager. Recipient will be **given about 35 days** (14 days for Unauthorized Occupant) from the date notice is sent to remedy the issue. A fine may be imposed. A copy of the violation will be saved in the resident’s file.

Conduct and Animal Violations - **\$25.00 per incident**

Unauthorized Occupant, Vehicle violations, Space Clean-up or Maintenance - **\$25.00 per week or partial week**

### **Step 4 - Second Official Notice of Violation**

Failure to correct a violation(s) after the First Official Notice, or a violation occurs a second time, a **Second Official Notice** will be sent from the Property Manager with a fine imposed. A copy will be saved in the resident’s file.

Conduct and Animal Violations - **\$50.00 per incident**

Unauthorized Occupant, Vehicle violations, Space Clean-up or Maintenance - **\$50.00 per week or partial week**

### **Step 5 - Third Official Notice of Violation**

Failure to comply after the Second Official Notice will result in a **Third Official Notice** sent from the Property Manager with legal counsel involved. This notice may be an **eviction** notice if the violation is a type this is allowed by law. **Termination of Membership** may also be considered for repeat or consistent violation. **Fines continue** at the second violation notice rate and

time. Property Manager will proceed with eviction process upon approval from the Board. A copy will be saved in the resident's file.

**Exceptions:** Violent Acts, Dangerous or Threatening behaviors (including animals and guests) the Board may choose to go straight to Steps 3 to 5 without the friendly warnings. **Extreme** acts may be discussed with the TA, the property manager and the cooperative attorney to make sure that the safety of the community comes first.

**Waivers:** Fine waiver requests **must** be in writing to the Board. For a waiver to be approved, there must be **extenuating circumstances** as to why the original warning/notice did not receive a written response from the resident.

**Larger Issues not quickly resolved:** For issues that may be overwhelming to a resident, like significant space maintenance issues, or deferred maintenance on the unit, Residents may request a **long-term plan to resolve** the problems. This would either be a discussion put into writing or a mediation followed by a written agreement.

**Appeal:** Residents may appeal the violations by **submitting a written request** with the details of the issue, any rebuttal information, and any additional evidence like witness statements, video, and photographs. A form will normally be provided to assist with this process. **Appeals will be reviewed by the Board or their designated committee.**

**Mediation:** The State of Oregon has a program to provide mediation for residents in manufactured home communities. If as part of the enforcement process, there is a need for discussion and possible the Board or its designated agent(s) **may pursue mediation as a resolution when possible.** Residents are encouraged to join in mediation as it may be the best way to come to a solution.