

**GREEN MOUNTAIN PHASE 1 HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS**

(Discrimination, Interference, and Harassment Resolution)

A. The Green Mountain Phase 1 Homeowners Association ("Association") Board of Directors ("Board") is charged with the operation and management of Green Mountain Phase 1, located in Clark County, Washington.

B. The Association is governed by the following documents, recorded in Clark County, Washington, including;

- Declaration of Covenants, Conditions, Restrictions, and Easements for Green Mountain Phase 1 Homeowners Association, recorded as Auditor's File No. 5408166; First Amendment recorded as Clark County Auditor's File No. 5450371; Second Amendment recorded as Clark County Auditor's File No. 5615023; Third Amendment recorded as Clark County Auditor's File No. 5670689; and Fourth Amendment recorded as Clark County Auditor's File No. 5789114, as may be later amended and supplemented ("Declaration").
- Bylaws of the Green Mountain Phase 1 Homeowners Association, Inc. dated August 10, 2021 ("Bylaws").
- The Plat for Green Mountain Phase 1, Articles of Incorporation, and the Association's Rules and Regulations, and Board Resolutions.

C. The Association is also governed by its Articles of Incorporation, the Association's Rules and Regulations, and Board resolutions. Collectively, the documents in Recital B and this Recital C are referred to as the "Governing Documents."

D. The Association is also governed by the Washington Homeowners' Association Act, Chapter 64.38 RCW, and the Washington Nonprofit Corporation Act, Chapter 24.03A.

E. Article 6, Section 6.6 of the Declaration and Article 6, Section 6.5 of the Bylaws grant the Board the power and duty necessary to administer the Association's affairs.

F. Article 5, Section 5.20.8 of the Declaration provides that, "[n]o noxious or offensive activities shall be carried on any Lot or other part of the Property, nor shall anything be done or placed upon any portion of the Property which interferes with or jeopardizes the enjoyment of other Lots, or which is a source of annoyance to residents."

G. The Board has authority under Article 9, Section 9.1 of the Declaration to enforce the Governing Documents, and RCW 64.38.020(11) to levy reasonable fines in accordance with an established schedule adopted by the Board and furnished to the owners.

H. The Board has become concerned about threatening, harassing, and abusive conduct directed toward Association staff, Directors, Officers, vendors, and other Association agents (collectively, "Agents"). This inappropriate conduct has unreasonably interfered with these individuals' ability to conduct Association business effectively. In addition, this conduct can and does cost the Association financially and makes it difficult to retain Agents who serve the Association.

I. The Association's power to address alleged harassment, disputes, and controversies between and among neighbors is limited by its governing documents and the law. But the Board believes that it is essential to remind all residents that harassment and discrimination will not be tolerated and that the Association will exercise its authority to the extent of the Governing Documents and the law to better prevent and address this improper conduct.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED that this resolution be adopted and will apply to all Association members, owners, residents, guests, and invitees (collectively, "Members"):

1. **Member Cooperation Required.** Members must reasonably cooperate with Association Agents in the course and scope of their work, including but not limited to investigating and enforcing the Governing Documents.

2. **Discrimination and Harassment Prohibited.** The Association does not and will not condone, endorse, or tolerate discrimination or harassment. No person has the right to discriminate against or harass Members, including, but not limited to, verbal or physical harassment or any form of intimidation or aggression. Members must not harass, threaten, stalk, chase, or intimidate others, including Association Agents. Members must also not engage in obscene, vulgar, or excessive communication with Association Agents by any means, including telephone, email, or texts.

3. **Contacts with Agents Prohibited.** Members must not interfere with, threaten, or disrupt Association Agents while they are performing their duties on behalf of the Association or at any other time. Members must also not interfere with, threaten, or disrupt other invitees (including realtors) who are performing services. Notwithstanding the foregoing, Association Agents have the right to reasonably question or speak with invitees on Association property and Lots.

4. **Member Concerns.** Residents who have experienced or observed harassment or discrimination are asked to submit a written report to the Association's manager identifying the specific actions, the dates of the alleged actions, and the persons involved.

5. Investigation Procedure.

5.1 If any Association Director or Officer witnesses or is informed of behavior that appears to constitute prohibited discrimination or harassment, the incident will be investigated. The Board may request further documents or evidence of the incident(s), call one or more parties to a Board meeting, and confer with other residents, owners, managers, vendors, or legal counsel. The Board, in its reasonable judgment, reserves the right to take any action it finds appropriate, or not to take any action, based on its reasonable investigation of the facts and incident(s).

5.2 If the Board finds credible evidence indicating that discrimination or harassment is likely to have occurred, the Association will notify the accused person(s) that harassing or discriminatory behavior is not permitted within the Association Property. Unless the Association receives reasonable assurances that the prohibited behavior will not recur, the Association will then take additional steps to enforce the prohibition against harassing or discriminatory behavior as set forth in Section 6.

5.3 Notwithstanding the notice provision in Section 5.2, in situations involving harassing or discriminatory conduct that the Board finds requires an immediate response, the Board may take steps to enforce the prohibition against harassing or discriminatory behavior, which may include levying a fine (as set forth in Section 6), referring the complaint to the federal or state housing agencies and local law enforcement, delivering written notice to the offending resident of the possibility that the Association will act to expel the resident from the community, or any other action as the Board may consider appropriate after consultation with legal counsel.

6. Enforcement. Notwithstanding the Association's fine resolution, the Association will assess a fine of \$500.00 per occurrence against an Owner and Lot for any violation of this Resolution, plus all actual costs (including attorney's fees whether or not suit or action is filed) incurred because of the violation. This fine will be levied at the same time written notice is provided to the Lot Owner. The Board, at its sole and unfettered discretion, may waive the fine or allow it to stand. The Board may also take all other appropriate action to address violations of this Resolution, including but not limited to, barring Members from the management company's office, prohibiting Members from attending meetings, filing lawsuits against offending Members, and filing reports with law enforcement and other governmental agencies.

7. Members Responsible for Resident, Guest, and Invitee Conduct. Members are responsible for the conduct of their residents, household, guests, and invitees. They are also solely responsible for all fines resulting from any violation of this Resolution caused by their residents, household, guests, or invitees.

8. Notice of Violation. The Association will provide written notice of the fine and give the Member an opportunity to be heard. The Member will have 10 calendar days to

request a hearing before the Board. If the Member does not request a hearing within 10 calendar days of the date of the notice, the Board has no obligation to schedule a hearing.

It is certified that this Resolution was duly adopted at a regular Board meeting on July 25th 2024, and is immediately effective. This Resolution will be distributed to Association members through posting on the Association's website.

**Green Mountain Phase 1 Homeowners
Association, a Washington nonprofit corporation**

By: John Bell
President

By: Kathy M. Jones
Secretary