



STAFF REPORT

DATE: October 6, 2021

TITLE:

Proposed Revised 2021-6 Covenants Architectural Standards Committee Fines (Administrative Resolution 2013-2 Amended)

RECOMMENDATION:

By Motion:

The Covenants and Architectural Standards Committees are requesting the Board of Directors to consider approving proposed clarifying amendments to Administrative Resolution 2013-2 becoming new Administrative Resolution 2021-6.

BACKGROUND:

Authorized by Administrative Resolution 2013-2, both the Covenants and Architectural Standards Committees have the authority to waive or reduce a fine that had been levied to a homeowner until the fine reached a cap of \$5,000. The current language in Administrative Resolution 2013-2 does not clarify the phrase “with a cap of \$5,000” or explain how the two-year timeline works in relation to the fine cap and/or the committee’s ability to reduce the fine. Research was conducted as to the origins of this resolution, however no information regarding the timeline was found.

The intent is to clarify and define Committee and Board of Director authority in relation to the \$5,000 cap to reduce or waive fines. When the initial fine or the total of a recurring fine against a homeowner exceeds \$5,000, only the Board can reduce or waive the fine during an appeal hearing, requested by the member, in front of the Board of Directors.

FISCAL IMPACT:

N/A

ALTERNATIVE:

Approve the proposed amendments to AR 2013-2 with additional modifications.
Not approve the proposed amendments to AR 2013-2

SUPPORTING DOCUMENTS:

1. Administrative Resolution 2013-2 Covenants Architectural Standards Committee Fines
2. Proposed Revised 2021-6 Covenants Architectural Standards Committee Fines red lines (Administrative Resolution 2013-2 Amended)
3. Fine Resolution Meeting Minutes

Prepared by: Covenants and Architectural Standards Committees and Brian Yohn, Interim Director of Risk Management and Real Property

Board Meeting Date: October 22, 2021

General Manager Approval to put on Agenda: _____ Date: _____

