

PEAK EIGHT VILLAGE CONDOMINIUMS

Formerly known as GOLD CAMP CONDOMINIUMS

POLICY FOR ALTERNATIVE DISPUTE RESOLUTION

Adopted Sept 23, 2014

The following procedures have been adopted by the Peak Eight Village Condominiums, Inc. ("Association") pursuant to the provisions of C.R.S. 38-33.3-209.5, at a special meeting of the Board of Directors.

Purpose: To adopt a policy setting forth the procedures for addressing disputes arising between the Association and its Members.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy for alternative dispute resolution:

1. Written Dispute. The mediation process outlined in this policy shall occur only after the Notice, Hearing and Enforcement procedures have been completed. Any dispute arising between the Association and any of its Members after the completion of the Notice, Hearing and Enforcement procedures should be submitted to the Board in writing by the Board or the Member(s) in the dispute for consideration. A Board meeting will then be scheduled and said Member(s) shall be entitled to attend. If resolution is not achieved through dialogue between the Board and the Member(s) involved, then the mediation procedure outlined in Section 3 below shall be followed.
2. Exempt Claims. Any action for the collection of any installment, assessment or any other charge due or any Complaint under the Notice, Hearing and Enforcement Policy prior to the completion of that process shall be exempt from the provisions of this Policy; provided, however, a dispute about the validity or proper adoption of any assessment, special assessment or other charge shall be subject to this Policy.
3. Mediation. If resolution of the dispute is not achieved through a dialogue between the Board and the Member(s) involved, then the dispute shall be submitted to a mediation service. The Board and said Member(s) shall mutually agree to the mediator. The cost of the mediation service shall be equally divided between the Association and said Member(s). Mediation shall be non-binding, but shall be engaged in in good faith.
4. Legal Recourse. If mediation is refused by said Member(s), or if mediation is unsuccessful in resolving the dispute, then any available legal recourse may be pursued by the Association and/or said Member(s) in order to seek resolution of the matter. The Association may file a lawsuit to preserve any claim which might be lost due to the applicable statute of limitation; provided, however, the Association shall then stay the lawsuit until mediation has been completed as provided herein. In the event said Member(s) refuses mediation and if the

Association is required to pursue further legal action, and is the prevailing party, then said Member(s) shall pay all legal fees incurred by the Association to resolve the dispute.

Peak Eight Village Condominiums, Inc.

By: Patricia Spear
President

Attest:

Marlene Wiles
Secretary