

Additional Resources

Sample – Board of Directors Code of Conduct

BOARD OF DIRECTORS

Code of Conduct

- 1. Act in the best interest of the community (no personal gain, material or political).**
Recognizing the need to preserve the original design and intent of the community, Board Members will work for the common good of the members of the _____ Homeowners Association, and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Board.
- 2. Comply with the Law.**
Board Members shall comply with the laws of the nation, the State of Washington, Thurston County and the governing documents of the _____ Homeowners Association.
- 3. Conduct of Board Members.**
The professional and personal conduct of Board Members must be above reproach and avoid even the appearance of impropriety. Board Members shall refrain from abusive conduct, personal charges or verbal attacks on the character or motives of other members, administration and staff, committee members and chairs, or the public.
- 4. Respect for the process.**
Board Members will make every effort to regularly attend meetings and perform their duties in accordance with established rules of order governing the deliberation of Association issues.
- 5. Conduct of meetings.**
Board members shall prepare themselves for all meetings; listen courteously and attentively to discussions; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.
- 6. Decisions based on merit.**
Board Members shall base their decisions on the merits and substance of the matter at hand rather than unrelated considerations.

7. Communication

Board Members shall share substantive information that is relevant to the matter under consideration which may have been received from sources outside the decision making process.

8. Conflict of interest.

In order to assure independence and impartiality, Board Members shall not use their position to influence decision in which they have a material, personal, financial or political advantage.

9. Gifts and favors.

Board Members shall not take any special advantage of services or opportunities for personal gain that are not available to all Association members. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise, or give the appearance of compromising, their independence of judgment or action.

10. Confidential information.

Board Members shall respect the confidentiality of information exchanged in Executive Sessions. They shall neither disclose confidential information without proper Board authorization, nor use such information to advance personal, financial or other private interests.

11. Use of Association resources.

Board Members shall not use resources of the _____ Homeowners Association that are not available to all members of the Association, such as staff time, equipment, supplies or facilities for private or personal gain.

12. Representation of private interests.

In keeping with the role of stewards of the Association's interests, Board Members shall not appear on behalf of the private interests of third parties before the Board or any committee.

13. Positive work place environment

Board Members shall support a positive and constructive work place environment for employees, members and businesses dealing with the _____ Homeowners Association. Board Members shall recognize their special role in dealing with employees to not create the perception of inappropriate direction to staff.

COMMITTEE MEMBER STATEMENT

As a member of the _____ Homeowners Association Board of Directors, I agree to uphold the Code of Conduct for Board Members adopted by the Association and to conduct myself by the following model of excellence. I will:

- Recognize the worth of individual members and appreciate their individual talents, perspectives and contributions;
- Help create an atmosphere of respect and civility where other Committee and Board Members, individual members, and staff are free to express their ideas and work to their full potential;
- Conduct my personal and public affairs with honesty, integrity, fairness and respect for others;
- Respect the dignity and privacy of other individuals and organizations;
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the general membership benefit.
- Avoid and discourage conduct which is divisive or harmful to the best interests of the _____ Homeowners Association.
- Treat all people with whom I come into contact in the way I wish to be treated.

I affirm that I have read and understand the _____ Homeowners Association Code of Conduct.

Board Member Signature

Date

Sample – Rights and Responsibilities

Hidden Valley Proprietary Administrative Resolution No. A456987 Rights and Responsibilities for Better Communities

WHEREAS, Article 2, Section 2.1 (6) of Hidden Valley Proprietary (Association) Articles of Incorporation (Articles) defines the term “Board of Directors” or “Board” (Board) as the administrative and executive entity that serves as the governing body of the Association; and

WHEREAS, Article 4, Section 4.1 of the (Association) Bylaws provide that the business and affairs of the Association shall be managed by the Board of Directors (Board) and furthermore prescribes certain powers and duties of the Board including such things that are not inconsistent with the Association Documents, and;

WHEREAS, Article 2, Section 2.1 (23) of the Articles defines the term “Owner” and such definition provides that the term “Owner” is also used to mean a “member” of the Association; and

WHEREAS, Article 4, Section 4.1 of the Articles defines who shall be a member of the Association and furthermore provides that such membership in the Association is mandatory and automatic with ownership of a Lot; and

WHEREAS, the Board desires to communicate to the Owners that the management operations of the Association are conducted in a manner that facilitates awareness, builds consensus and promotes good will through the process of the Board and the Owners working together, thereby reducing the chances for conflict, and that each has certain rights relative to their role in the community as well as responsibilities and obligations to the other with respect to their conduct; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board adopts the following Rights and Responsibilities for Better Communities as recommended by the Community Associations Institute (CAI) as the general principles and guidelines to be followed in the course of conducting Association business.

Homeowners Have the Right To:

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and managers.
3. A community where the property is maintained according to established standards.
4. Participation in governing the community association by attending the meetings with the opportunity to serve on committees and to stand for election.
5. Prudent expenditure of fees and other assessments.
6. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
7. Access to appropriate association books and records, when properly requested.
8. A copy of all documents that address rules and regulations governing the community association- if not prior to purchase and settlement by a real estate agent or attorney, then upon joining a community.

9. An appeal to appropriate community leaders on those decisions affecting non-routine financial responsibilities or property rights.

Community Leaders* Have the Right To:

1. Respectful and honest treatment from residents.
2. Support and constructive input from owners and non-owner residents.
3. The expectation that residents know and comply with the rules and regulations of the community and stay informed by reading materials provided by the association.
4. The expectation that owners and non-owners residents will meet their financial obligations to the community.
5. Meetings that can be conducted in a positive and constructive atmosphere without disruption.
6. Personal privacy at home and during leisure time in the community.
7. Educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

Homeowners Have the Responsibility To:

1. Treat association leaders honestly and with respect.
2. Read and comply with the governing documents of the community.
3. Maintain their property according to established standards.
4. Vote in community elections and on other issues.
5. Pay association assessments and charges on time.
6. Provide current contact information to association leaders or managers to help ensure they receive information from the community.
7. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
8. Request reconsideration of material decisions that personally affect them.
9. Ensure that those who reside on their property (e.g., tenants, relatives, and friends) adhere to all rules and regulations.

Community Leaders* Have the Responsibility To:

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interest of the community.
2. Maintain a community where neighborly friendliness is promoted and property values are protected through established standards.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Encourage input from residents on issues affecting them personally and the community as a whole.
5. Encourage events that foster neighborliness and a sense of community.
6. Welcome and educate new members of the community – owners and non-owner residents alike.
7. Establish committees or use other methods to obtain input from owners and non-owner residents alike.
8. Conduct open, fair and well-publicized elections.

9. Conduct business in a transparent manner when feasible and appropriate.
10. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
11. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights – where permitted by law and the association's governing documents.
12. Exercise sound business judgment and follow established management practices.
13. Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
14. Collect all monies due from owners and non-owner residents.
15. Allow homeowners access to appropriate community records, when properly requested.
16. Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
17. Initiate foreclosure proceedings only as a measure of last resort.
18. Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees.

*For purposes of this Resolution the term Community Leader shall mean a member of the Proprietary Board of Directors, a member of a Proprietary committee, and a Proprietary employee.

Sample – Website Use Policies

Hidden Valley Proprietary Policy Resolution P2002-1

Website Use Policies

WHEREAS, Article 4, Section 4.1 (6) of the Hidden Valley Proprietary Bylaws (hereinafter “Association” and “Bylaws” respectively) provide that the Board of Directors (“Board”) shall manage the business and affairs of the Association and furthermore that the Board shall have all of the powers and duties necessary for the administration of the affairs of the Association and may do all such acts and things as are not required to be done by the Owners; and

WHEREAS, Article 4, Section 4.1 (4) of the Bylaws empowers the Board to adopt and amend reasonable Rules and Regulations not inconsistent with the Association Documents; and

WHEREAS, Article 7, Section 7.2 of the Bylaws empowers the Board to create and abolish from time to time such committees consisting of two or more persons to aid in the administration of the affairs of the Association, and to prescribe the duties of such committees; and

WHEREAS, in 1999 the Board established a Website Committee to establish a website for use by the Association in providing Association information to the residents; and

WHEREAS, as the functions and scope of the website have changed since its inception and the Board has recognized that there is a desire by the residents and others for expanded use of the website, the Board acknowledges the need for reasonable Rules and Regulations governing the use of the website.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Board establishes the following rules, regulations and policies concerning the use of the Association website.

Sample – Violation Letter

Hidden Valley Proprietary

January 26

Hidden Valley Proprietary
111 Hidden Valley Road
Ranch, Idaho 23456

Sent Via: Certified Return Receipt Requested & First Class US Mail

Dear Mr. and Mrs. Lee:

As you are aware, in Hidden Valley there are certain responsibilities pertaining to the Association which individual owners and their tenants must undertake in order to preserve the community as a pleasant place in which to live.

Responsibilities are outlined in the Declaration of Hidden Valley, specifically in Article 8, Section 8.2 (n) Vehicles and in Policy Resolution #6 Vehicle Policies. This area has been raised as a concern with your property.

During a community wide inspection it was noted that there appears to be a commercial vehicle regularly parked in open view on your driveway. This is considered a violation of the governing documents of the Association. Please take the necessary steps to correct this immediately upon receipt of this letter by parking the vehicle out of view or removing the vehicle from within the Hidden Valley Community Association, and refrain from parking this vehicle in open view within the community in the future. Failure to correct this violation within ten days or by February 9, 2009 will result in further enforcement by the Association.

Please be assured that this letter is intended to be constructive in nature and are being issued pursuant to the guidelines set forth in accordance with legal statutes and the Association's governing documents. If this letter has been sent to you in error, please contact me immediately so this matter can be corrected.

If you have any questions, do not hesitate to contact me at hiddivallemgr@hidden.org or at our office at (012) 345-6789.

Sincerely,

Thousand Island
Covenants Manager, Agent of the Covenants Committee