

**RESOLUTION  
OF  
PRIDE'S CROSSING #4 HOMEOWNERS ASSOCIATION, INC.  
REGARDING ALTERNATIVE DISPUTE RESOLUTION (ADR) POLICY**

Adopted 13 June 2018

The following resolution has been adopted by **PRIDE'S CROSSING #4 HOMEOWNERS ASSOCIATION, INC.** (the "Association") pursuant to Colorado law, at a regular meeting of the Board of Directors.

**RECITALS**

Colorado law allows the Association to establish a policy regarding alternative dispute resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors does hereby adopt the following policy regarding alternative dispute resolution:

1. [Meditation/arbitration/Other type of ADR] [shall/may] be pursued by the Association before any lawsuit is filed to [insert situations where ADR is/may be pursued]. [IF SHALL Mediation/arbitration/other shall not be required if time constraints prevent accomplishing ADR.]

2. ADR will not be pursued by the Association if an Owner refuses to do so. If ADR is to be pursued, it must be pursued using a trained facilitator or mediator that is familiar with governance of owner associations and

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3. ADR allowed for or required under this Policy must be in compliance with the Uniform Arbitration Act and/or the Dispute Resolution Act, as applicable.

4. If the parties to the ADR cannot agree on the facilitator or mediator or other qualified person to conduct the ADR, then:

a. Each party shall choose a facilitator, mediator or other qualified person, and those so chosen shall then select one facilitator, mediator or other qualified person. OR

b. The facilitator mediator or other qualified person shall be selected by the first available person from:

- i. The Judicial Arbiter Group (Jag). OR
- ii. The American Arbitration Association OR
- iii. \_\_\_\_\_

5. The costs of ADR shall be a common expense of the Association [IF WANT TO SPLIT IT shall be split equally among the parties involved in the ADR.]

6. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

7. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

8. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

9. Amendment. This policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of the Association, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on 13 June 2018 and in witness thereof, the undersigned has subscribed his/her name.

**PRIDE'S CROSSING #4 HOMEOWNERS ASSOCIATION, INC.**

By: Richard Roberts   
Its: President HOA Prides Crossing #4 Inc

## QUESTIONNAIRE

1. Do you want to require ADR if an owner agrees in certain types of situations before legal action can be commenced?  Yes  No. If yes, what types of situations:

- Covenant/Rule violations where there is no immediate deadline
- Collection matters
- Foreclosure matters
- Neighbor to neighbor disputes
- Other \_\_\_\_\_

2. If you answered yes to No. 2, what type of ADR?

- Mediation
- Arbitration
- Other \_\_\_\_\_

3. Do you want to encourage ADR in certain types of situations before legal action can be commenced but leave it up to the parties to request it?  Yes  No. If yes, what types of situations:

- Covenant/Rule violations where there is no immediate deadline
- Collection matters
- Foreclosure matters
- Neighbor to neighbor disputes
- Other \_\_\_\_\_

4. Who will pay the costs of ADR?

- Owner/s
- Association
- Split between parties