

**TREETOP CONDOMINIUM
OWNERS ASSOCIATION**

Resolution of The Board of Directors Regarding Common Utilities

WHEREAS, "Declaration" refers to the *Declaration of Unit Ownership for Treetop Condominium*. "Bylaws" refers to the *By-laws of Treetop Condominium Owners Association*. "Association" refers to *Treetop Condominium Owners Association*. "The Act" refers to the *Oregon Condominium Act, ORS Chapter 100*;

WHEREAS, Article 9 of the Bylaws provides that assessments are due and payable monthly in advance of the first day of every calendar month;

WHEREAS, from time to time owners become delinquent in the payments of their assessments and fail to respond to demands from the Board to bring their accounts current, and it is imperative assessment payments are timely received;

WHEREAS, Section 100.405(4)(L) of the Oregon Revised Statutes permits homeowner associations to adopt rules regarding the termination of utility services paid for out of assessments of the Association (hereinafter "utility services");

WHEREAS, the rights and procedures contained in this Resolution are in addition to the rights, procedures, and remedies contained in the Collection Resolution of the Board of Directors, dated 11/26/02;

WHEREAS, the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for the termination of utility services of owners who fail to timely pay their assessments;

NOW, THEREFORE, BE IT RESOLVED, that the following steps be adopted to provide for the uniform and systematic procedure for the termination of utility services:

1. If any assessment remains unpaid by an owner for more than thirty (30) days from the due date of its payment, the Board shall send a notice to the owner of its intent to terminate utility services if the amount due and owing is not paid within thirty (30) days. The notice shall include a statement that the owner may request a hearing.

2. The notice shall be personally delivered or mailed by registered or certified United States mail, return receipt requested, to the alleged violator at the address or addresses required for notice of meetings and, in the case of non-owner residents, to the property address as well.

3. The owner shall have fifteen (15) days from the time the owner receives the notice to request a hearing.

4. If an owner requests a hearing within fifteen (15) days of receiving the notice, the Board shall schedule a hearing and notify the owner of the date, time, and place of the hearing.

5. Utility services may be shut off unless:

(a) the total amount due and owing is paid within thirty (30) days from the time the notice of intent to terminate is received by the owner; or

(b) after a properly requested hearing has been held, the Board, in their discretion, determine not to terminate the owner's utility services.

6. Costs associated with turning off the owner's utility services shall be added to the owner's monthly assessments and be paid for by the owner.

Adopted by the Board this 27th day of OCTOBER, 2005

ATTEST:

Date: 27 OCT 2005



President, Treetop Condominium Owners Association



Secretary, Treetop Condominium Owners Association