



Sonoma Pines Homeowners Management Ltd.

Board Meeting Minutes

2 June, 2016

NAME	PORTFOLIO	REPORT TO COUNCIL FOR:	PHONE	EMAIL
John Scott	Chairman	▪ Maintenance	250-681-5681	jdscott650@gmail.com
Tom McEwen	Vice Chairman	▪ Clubhouse ▪ Social	250-878-7565	tommc.strata@gmail.com
Bryon Dickie	Treasurer	▪ Finance	250-864-1040	bryondickie@shaw.ca
Charlie Milazzo	Secretary	▪ Landscaping ▪ Irrigation	778-754-1000	charliem.strata@gmail.com
David Reid	Councilor	▪ Maintenance	250 826 3751	davidr.strata@gmail.com
John Cole	Councilor	▪ Communications	778-754-7265	eloconsult@klondiker.com
Jo-Anne Luchka	Councilor	▪ Welcome/Volunteer/Election	250-300-6504	joluchka@gmail.com

NAME	PORTFOLIO	PHONE	EMERGENCY	EMAIL
Kevin Jersey	Strata Manager	250-869-8828	250-808-3837	sonomapines@associatedpm.ca

Location: Clubhouse, 3999 Sonoma Pines Drive, West Kelowna, B.C.

Call to Order

The meeting was called to order by Charlie Milazzo at 8:57 a.m.

Attendance

On behalf of Sonoma Pines Homeowners Association:

Present: Charlie Milazzo, Jo Luchka, John Scott, John Cole, Tom McEwen, Bryon Dickie, David Reid

Absent: none

On behalf of Associated Property Management (2001) Ltd:

Kevin Jersey

1) Approve Agenda – The following items were added to the agenda;

- a) Correspondence - 2161 Serrento Lane Travelers Insurance Report
- b) Old business - Survey on Terrero
- c) Move WFN Report to #2
- d) Correspondence - 4130 Solano Place/
- e) Correspondence - 2099 Candalera Place - sprinkler on roof
- f) Correspondence - 2122 Del Mar Court
- g) New Business - Blvd near retention pond
- h) Previous Business – BFL Risk report regarding stairs
- i) New Business - SPHM Board Meeting Policy
- j) Notice of Motion - Enforcement or rules and regulations.
- k) New Business - Rykon Follow up

It was moved and seconded that;
The agenda be approved as amended.
Upon vote the motion CARRIED with a clear majority.

2) WFN Advisory Council Update - Gord Couch - (No Report)

- WFN has signed a long term contract with West Kelowna for Fire Protection Services
- WFN Advisory Council Website - <http://www.wfn.ca/siya/advCouncil.htm>
- Residents can attend WFN meetings as an observer. Interested parties must give prior notice of their intention to attend the meeting.
- WFN facilities are available for rent. Interested parties should contact the WFN office.
- Review of property assessment mechanism by WFN is ongoing as it is felt that the current method used by BC Assessment in comparing residences not on WFN lands for determining the assessed value of residences located on WFN land does not reflect current values.
- WFN has had meetings with RCDO with more meetings to follow.
- Water Services Q: Will there be a minimum monthly fee for Sonoma? A: The fees are based on flat rate structure. Q: How are single family and multi family rates set? A: The water service structure is adjusted from year to year and is based on capacity. Q: Are they adjusted seasonality to take into account the number of residents who are absent for the Winter months? A: Yes. Q: Is there charge for fire hydrants? A: No. At some point there will be a water meter process along with a flat rate fee for all residents on WFN land.
- Q: SPHM has knowledge of how many lots are vacant during the Winter. Can that be used to adjust the water and sewer charges? A: Not at this time. The issue will be brought up with the WFN Executive and Utilities Executive.
- Q: Is the fire service contract long term? A: The present contract that expires in 2017 is to be extended.
- Q: Do water and sewer charges include maintenance? A: Will enquire.
- Q: Will WFN create a 30 foot fire guard around the fences? A: Will take it to WFN Executive.
- Q: Who is responsible for area at the north entrance of Sonoma Pines? A: Will enquire.

It was moved and seconded that;
The meeting commence an in camera session at 9:20 a.m. in the Games Room
Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;
The meeting terminate the in camera session at 9:42 a.m. and resume in the main meeting area.
Upon vote the motion CARRIED with a clear majority.

3) Elect Officers – The following officers were elected.

It was moved and seconded that;
The following shall be elected as officers of Sonoma Pines Homeowner Management Ltd.

President - John Scott
Vice President - Tom McEwen
Secretary - Charlie Milazzo
Treasurer - Bryon Dickie

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;
The following committees shall be formed with an appointed Director to act as a liaison between the respective committee and the Board.

Landscaping and Irrigation - Charlie Milazzo
Maintenance – John Scott and David Reid
Finance – Bryon Dickie
Welcome – Jo-Anne Luchka
Clubhouse and Social – Tom McEwen
Safety and Security – Charlie Milazzo
Communications – John Cole
Advisory – John Cole
Ad-Hoc Transition – Bryon Dickie

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;

Going forward, the motions or resolutions in the Board minutes will indicate that the motion has been moved and seconded, and that the motion either Carried or was Defeated by a clear majority. The minutes will reflect individual Director votes if requested by a Director.

Upon vote the motion CARRIED with a clear majority.

4) Previous Minutes -

It was moved and seconded that;

That the minutes from the 5th of May 2016 be amended as follows;- page 6 Notice of Motion to read "The regulations regarding the use of video security in the clubhouse be included in the Rules and Regulations."

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that:

That the minutes from May 5th, 2016 be approved as amended

Upon vote the motion CARRIED with a clear majority.

5) Home Owners' Presentation - None

6) Correspondence

- a) **2168 Serrento Lane** – The owner expressed concerns regarding the lawn mower path with respect to it being used by owners for other purposes and the safety of the path in general.
The Board directed APM to reply to the owner advising that area in question is common property, and that the issue will be sent to safety and security committee and to the landscaping committee for review regarding the other matters.
- b) **2177 Alvarado Trail** – The owner renewed concerns with respect to the area behind the residence that has sunk approximately 1 ½ feet most likely due to drainage issues.
The Board will solicit an estimate for the repairs to the ground in question and the drainage issues if that is the cause of the ground sinking. The Board requested that APM notify the owner.
- c) **2098 Candalera Place** - The owner expressed concerns with the weeds growing in the area that was supposed to be hydro seeded.
The Board discussed previous conversations with Rykon regarding the areas that are scheduled to be hydro seeded, where they indicated that they were not going to vary from the landscaping plan presented to the owners at the start of the project. The area in question is scheduled to be hydro seeded by the end of June 2016, and again at a later date if it is not successful. The Board will add the item to the follow up list for Rykon.
The Board requested that APM notify the owner of the decision.
- d) **4120 Solana Place** – The owner expressed concerns with the performance of the landscaper who provides services to the single family residences. The Board advised that the issues brought up by the owner have been discussed with the contractor. The Board requested that APM respond to the owner.
- e) **4101 Solana Place** - The owner expressed concerns that the trees on the boulevard were interfering with the view and asked that they be trimmed. The Board advised that the trees in question have been inspected, and determined that they would not be trimmed as the trees on the boulevards are not subject to the rule regarding views. The Board requested that APM advise the owner.
- f) **2125 Talavera Place** - The owner provided several suggestions for determining operating cost allocations for the home owners. The Board acknowledged the correspondence.
- g) **2079 Candalera Place** - The owner expressed concerns with the number of owners who walk their dogs without having them on a leash. The Board wishes that owners make note of the following rule:

3. (3) An owner, tenant, occupant or visitor must ensure that all animals are leashed or otherwise secured when on the common property or on land that is a common asset. An owner, tenant, occupant or visitor must ensure that pet excrement is removed and cleaned immediately from all property. No dog owners shall permit their pets to trespass on single family property.

The Board requested that APM respond to the owner.

- h) **3804 Siringo Lane** – The owner expressed concern regarding the landscaping contractor parking the work vehicles on streets where parking is prohibited. The Board advised that the contractor has been consulted and requested to park in an area that does not hinder an owner's driveway, and on a street that is not subject to a prohibition. The Board requested that APM to respond to owner.
- j) **4130 Solana Place** – The owner advised that there was not sufficient water pressure to properly irrigate the yard. The Board advised that the home owner has been instructed to contact a plumber to adjust the pressure reduction valve.
- k) **2095 and 2099 Candalera Place** – The owners have expressed concerns that irrigation sprinklers from the golf course are hitting the walls and windows of residence and in one place the roof. The Board advised that the management of the Golf Course has been contacted and the sprinkler heads will be adjusted.
- l) **P-3 Gate** – It was reported to the Board that an emergency vehicle had difficulty negotiating the exiting side of the P-3 Gate. The Board contacted the local Fire Department and confirmed that they had the appropriate ability to access the gate when needed.

7) Committee Reports

a) Administrative Advisory Committee (No Report)

- o Researching data software

b) Clubhouse Facility Management (No Report)

- o Proceeding with renovations

It was moved and seconded that;

The building plan be approved as submitted, and to commence the construction in the clubhouse the costs to be paid from the Common Contingency Reserve Fund as approved by the owners at the AGM

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;

The installation of hand railings at the clubhouse be approved, the costs to be paid from the Common Contingency Reserve Fund as approved by the owners at the AGM

Upon vote the motion CARRIED with a clear majority.

c) Communications (No Report)

- o Confirmed that the Sonoma Pines Newsletter is being sent by APM in a reduced pixel format.

d) Finance Committee (Report Attached)

- o April financial statements approval deferred until the new budget approved at the AGM is implemented.
- o CRF Spending

It was moved and seconded that;

All Contingency Reserve Fund expenditures are to be reviewed by the Finance Committee before being approved by the Board at a Board meeting.

Upon vote the motion CARRIED with a clear majority.

- o Tax Returns - 4 tax returns are to be submitted before the 6 month deadline has been reached. It is the recommendation of the Finance Committee that an accountant be retained to review the financials on an annual basis, and file the appropriate tax submissions.
- o A Transition update will be provided in two to three weeks
- o Signing Authorities – Because there have been changes to the Board and the Officers, new signing authorities must be appointed for the two financial institutions that the Corporation has accounts with.

It was moved and seconded that;

John Scott (President) and Bryon Dickie (Treasurer) have the signing authority for the accounts held at Valley First Credit Union

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;

John Scott (President), Tom McEwen (Vice President), Charlie Milazzo (Secretary) and Bryon Dickie (Treasurer) shall have signing authority on accounts held in trust with Associated Property Management Ltd. All cheques from the trust accounts will require two signatures, one by any one of these individuals and a second by a Managing Broker for Associated Property Management.

Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;

The chairs of the following committees be authorized to expend up to \$1,000 for expenses they deem as appropriate within the scope of their portfolio budget.

- Landscape Committee
- Irrigation Committee
- Maintenance Committee
- Welcome Committee
- Clubhouse Committee
- Communications Committee

In addition the Property Manager be authorized to expend up to \$1,000 for any expense necessary to fund budgeted operational activities of Sonoma Pines Homeowner Management Ltd.

In all cases the expenditures will be included in the monthly report from each committee and Property Manager that is tabled at the Board meeting. These expenditures will follow the same financial operating processes currently being used in Sonoma Pines.

The Board reserves the right to make changes to the authorization should any concerns arise regarding budget or procedures.

Upon vote the motion CARRIED with a clear majority.

e) Irrigation (No Report)

- Problem areas for irrigation have been identified and exceed the number from last year. The costs are therefore exceeding what was expected.

f) Landscaping (No Report)

- Common area landscaping areas have been found to be larger than what was included in the Asahi contract.
- The Golf Course right of ways need attention regarding weeds - Landscaping committee is conferring with the Golf Course management
- Recommendations for Solana Place – The pine trees that were planted by builder, if topped to provide site lines, would eventually kill the trees. Recommendation: that a meeting be called for the owners on Solana Place to see if a solution can be found that all the owners agree to.

g) Maintenance (Report Attached)

h) Safety & Security (no report)

- Will look into a plan for p-3 gate in the event of a power failure.

i) Social (no report)

j) Welcoming, Volunteers and Elections (no report)

- A Big Thank You to the volunteers who assisted with the AGM.

7) APM Operation Update

- APM has engaged the services of an Emergency Call Center which will be manned 24/7. Owners who have an emergency requiring the Police, the Fire Department, or Ambulance should call 911. Emergencies that relate to a flood or water egress should call the APM Emergency line 250 808-3837. You should indicate to the operator that you are a resident of Sonoma Pines, provide the specific address, your name and phone number, and the nature of the emergency. The call center sends a page to the strata manager for emergency situations that require immediate attention.
- Paperless system – APM is in the process of scanning all documents that are required to be retained by the HOA or Strata, and maintaining all files on a digital server. The server is backed up daily to an off-site location. As this is a significant task, it is hoped that it will be complete by the end of Summer 2016.. Existing paper files will not be immediately destroyed, unless the client directs APM to do so. At some point the superfluous files will be turned over to the HOA for storage.

8) **Previous Business**

- a) **Candalera Place Owners' Petition** – Correspondence in the form of a petition was received from 9 owners on Candalera Place expressing displeasure with the landscaping of the bank behind their homes that is scheduled to be hydra seeded by the developer. The group of owners is interested in alternative landscaping and are looking to the Board for assistance in the matter. The Board advised that the issue has been presented at previous meetings and the developer has previously indicated that they were not prepared to alter the landscaping plan that was presented originally to the owners at the start of the project. Hydro seeding will continue as planned in June. The Board requested that APM respond to the individuals who signed the petition.
- b) **BFL Risk Assessment Report** – The Board discussed the report and the reference to landscaping stairs that were indicated to be unsafe. The Board will meet with the owners on either side of the subject stairs to see if there is a solution that can be reached that is cost effective and negates the risk identified by the BFL report.
- c) **Survey on Terrero** – The Board requested that APM again contact G. A. Goddard Survey and ask when the survey of the area will be complete.

9) **Alteration Agreements**

- a) **3799 Del Mar Lane** – Owner request to build a free standing pergola over part of the patio.

It was moved and seconded that;

The owner of 3799 Del Mar Lane be given permission to alter the property as per the submitted application.

Upon vote the motion CARRIED with a clear majority.

- b) **2171 Alvarado Trail** – Owner request to add a glass panel to the exterior door.

It was moved and seconded that;

The owner of 2171 Alvarado Trail be given permission to alter the property as per the submitted application.

Upon vote the motion CARRIED with a clear majority.

- c) **2161 Madera Court** – Owner request to install an awning on the rear deck.

It was moved and seconded that;

The owner of 2161 Madera Court be given permission to alter the property as per the submitted application.

Upon vote the motion CARRIED with a clear majority.

- d) **3824 Siringo Lane** – Owner request to extend as rear deck.

It was moved and seconded that;

The owner of 3824 Siringo Lane be given permission to alter the property as per the submitted application.

Upon vote the motion CARRIED with a clear majority.

- e) **3822 Siringo Lane** – Owner request to extend as rear deck.

It was moved and seconded that;

The owner of 3822 Siringo Lane be given permission to alter the property as per the submitted application.

Upon vote the motion CARRIED with a clear majority.

- f) **2307 Pine Vista Place** – Owner request to replace a tree. The Board decided that the Community Services Coordinator would consult with the home owner and a request would be re-submitted that includes more detail if required.

- g) **2149 Madera Court** – Owner request to install window a window in the lower level. The Board determined that more information would be required before the request could be approved. APM was directed to contact the owner and request additional information including detailed drawings.
- h) **2208 Terrero Place** – Owner request to install landscape stairs.

It was moved and seconded that;

The owner of 2208 Terrero Place be given permission to alter the property as per the submitted application. The stairs are to adhere to the BC Building Code with respect to the rise and run of the stairs.

Upon vote the motion CARRIED with a clear majority.

- i) **2177 Talavera Place** – Owner request to install exterior security cameras. The Board decided that before approving the request the opinion of corporate legal counsel with respect to private security cameras be obtained. APM was directed to correspond with the owner advising of their decision.
- j) **2191 Alvarado Trail** – Owner request to install awnings and screens. The Board decided that they did not have sufficient information to make a decision. APM was directed to correspond with the owner requesting additional information.
- k) **3800 Del Mar Lane** – Owner request to install a 4 foot high trellis. The Board decided that they would not approve the request at this time and would revisit it once the landscaping of the common area surrounding the residence is complete. The owner could then re-submit the request with specific details of the proposed trellis. APM was directed to correspond with the owner.

10) New Business

- a) **Root Barriers for Oak Trees** - Tabled to next meeting.
- b) **Command Construction Rock Wall Quotes** - Tabled to be forwarded to the Landscaping Committee who will make recommendations regarding alternative types of retaining walls.
- c) **Window Screens in Multi Family Dwellings** – The Board discussed the responsibility of external window screens in the Multi Family dwellings. APM advised that in most cases the home owner is responsible for the repair and maintenance of external window screens. The Board adapted that policy.
- d) **Insurance Renewal** - A detailed quote was received from BFL Insurance Canada, the present carrier, for a renewal of the policy that expires on the 11th of June 2016.

It was moved and seconded that;

The proposal for general insurance and D & O insurance from BFL Insurance Canada be accepted. It is further resolved that the premiums to be paid in 3 equal payments, will be borrowed from the Common Contingency Reserve Fund, to be repaid monthly as the maintenance fees are collected from the homeowners.

Upon vote the motion CARRIED with a clear majority.

Bryon Dickie the Treasurer, will sign the proposal acceptance and liaise with the BFL representative.

- e) **Boulevard Near Retention Pond** - To be added to the list of issues to be discussed with Rykon.
- f) **SPHM Board Meeting Policy** - The Board discussed new operating policies to be followed by the Board.

It was moved and seconded that;

The Board adopt the attached "SPHM Ltd Board Meeting Procedures".

Upon vote the motion CARRIED with a clear majority.

- g) **Rykon Follow Up** – An ad hoc committee will be meeting with Rykon to discuss the remaining deficiencies.
- h) **2161 and 2162 Serrento Lane New Home Warranty Claim** - Council discussed the response from Travelers Insurance who administers the New Home Warranty insurance program. Travels advised that the cracks in the cement and in the drywall in the basement of the noted residences were not covered by the 10 year portion of the policy relating to structure and foundation. The Board directed APM to respond to the correspondence advising that their response was under review by the Board.

11) In Camera Session

It was moved and seconded that;
The meeting commence an in camera session at 1:30 p.m.
Upon vote the motion CARRIED with a clear majority.

It was moved and seconded that;
The in camera session end at 2:00 p.m.
Upon vote the motion CARRIED with a clear majority.

12) Enforcement of Rules and Regulation Contraventions - NOC signifies a "Notice of Complaint having been received" NRC signifies a "Notice of Rule Contravention"

New Contraventions

Strata Lot	Date	Bylaw/Rule/Guideline Allegedly Contravened	Board Decisions
An Owner		Rule 3.1.a harassing landscape contractor employees	Send letter advising that action is not acceptable
An Owner		Landscape without permission	Send letter advising that an alteration agreement is required
An Owner	15 May	NOC sent re Bamboo Screen on balcony	Send NRC
An Owner	15 may	NOC sent re screens on balcony	No further action required
An Owner	15 may	NOC sent re screen on balcony (response e-mail)	No further action required
An Owner	17 May	NOC sent 3.1.a and c (response e-mail)	Send NRC
An Owner	past	Plantings without prior approval	Send NRC and directive to remove a tree

It was moved and seconded that;
The Board decisions regarding contraventions be ratified.
Upon vote the motion CARRIED with a clear majority.

Previous Contraventions - None

13) Notice of Motion

- a) **Enforcement or rules and regulations** – see attached "Current Rules and Regulations".

14) Termination

The meeting was terminated at 2:10 p.m.

15) Next Meeting

Council meetings are held on the first Thursday of every month, at 9:00 a.m. in the clubhouse. Owners are welcome to attend these meetings as observers.

The next council meeting was scheduled to be held on 7 July, 2016 at 9:00 a.m.

11

SPHOM Ltd.
Finance committee Meeting
May 30, 2016

Notes from meeting:

1. April Interim F/S were reviewed but not approved until new format is presented by APM
2. Investment update on the CRF funds was discussed - \$300K into one year GIC, 2 x \$200K to be set up in non-redeemable 3 year and 5 year terms
3. Recommend to Council that all CRF spending must first be reviewed by the Finance Committee and then approved by Council
4. Reviewed the BFL insurance policy and recommend to Council that the pro-rated version be accepted for June 2016 until March 2017
5. Tax returns are required for last year's fiscal, plus 2 months (April & May 2016), and for the June 1, 2016 to March 31, 2017
6. Unit Entitlement Model for MF homes should be revised and various options presented to homeowners.

Maintenance Committee

Tuesday May 31, 2016

9:00 a.m. Club House Boardroom

Attendees: Vern Valan, Vern Sarver, Nick Schridt, John Scott

Regrets: Ken Smith, Bob Nichol, Glen Hemming

- Update on roofing inspections. Funding approved for 2016 and will notify Pacific Interior that they can start the work. (John)
- Maintenance Standards
 - o Wood Accents
 - We will get some recommendations from Pituello on semi transparent stains.
 - Probably be a simpler process brushing to clean followed by a single coat of semi transparent stain
 - Process should be agreeable to all (MF and SF)
- Streetlight Monthly report
 - o Ask that Charlie M. can connect with Ken as he is having some trouble finding sensors referred to.
- Fence Repair update (Vern S)
 - o Attached below
- Sanitary mainline flushing (John)
 - o Some of the lines run through golf course property
 - o Need to talk with WFN
 - o *Note when we discussed this at the board meeting and David indicated he'd like to look into the recommended frequency of sewer line flushing
- Painting – walls and door trim – inspections
 - o Will take place this fall
- Center Line Painting
 - o Getting a quote on lines only no curbs this year
 - o * At the board meeting we were also requested to get a quote on curb painting at the same time.
- Sonoma Pines Safety Vests
 - o Need approval and ideas for 6 vests
 - o *approved by the board

- ❑ Maintenance Calendar + Inspections reviewed
- ❑ 2016 Gutter cleaning RFQ and 2016 Snow removal RFQ ready to go and awaiting feedback from the board

Next Meeting Monday June 27 or July 4th. Please let me know your availability

SPHM Ltd. Board Meeting Procedures

Generally, the Board Of Directors calls meetings by:

- giving other members at least one week's notice specifying the reason for the meeting or
- giving less than one week's notice if:
 - the Board Of Directors members agree or
 - the meeting is required to deal with an emergency situation, and Board Of Directors members either consent in advance of the meeting, or are unavailable to provide consent after reasonable attempts to contact them

Requesting a Hearing

An owner or tenant can request in writing, stating the reason, a hearing at a Board Of Directors meeting.

Reasons for hearings can include requesting present information to the board or presenting information related to enforcement of rules and regulations.

The Board Of Directors must hold a council meeting within 4 weeks after the request to hear the applicant.

If the purpose of the hearing is to seek a decision from council, the Board Of Directors must give the applicant a written decision within one week after the hearing.

Quorum and Participation

At the outset of a Board Of Directors meeting, members should determine if the required quorum is met.

A quorum of the Board is:

- four directors

Owners may attend Board Of Directors meetings as observers only. However they may not attend portions of meetings related to: bylaw enforcement proceedings; rental restriction bylaw exemption hearings; and matters where a person's privacy would be unreasonably interfered with

At the first meeting of the new Board Of Directors, members must elect from amongst themselves the following: a president; a vice-president; a treasurer; and a secretary. A member can hold more than one office, so long as it is not both president and vice-president

Taking Minutes

Minutes of Board Of Directors meetings need to be taken and the Board Of Directors must inform

owners of the minutes of all Board Of Directors meetings within two weeks of the meeting.

It is important to document Board Of Directors decisions including spending and approval

Voting

- each director has one vote
- all matters are decided by a majority vote
- at board meetings, decisions are made by directors present in person at the meeting (i.e. no proxies)
- a record of each vote must be recorded in the minutes
- a tie vote can be broken by the president

Current Rules and Regulations

It is important for owners and tenants to understand what the SPHM's bylaws and rules are and to follow them.

Rules and Regulations are available on our website at www.sonomapines.info.

SPHOM homeowners or tenants may inspect or request a copy of the strata's bylaws and rules. They must be given copies by the board and may be charged a maximum of 25 cents per page.

Tenants must be given the strata's bylaws and rules by the landlord using a "*Form K: Notice of Tenant's Responsibilities*". If the owner fails to give the tenant a *Form K*, the tenant is still responsible for following the bylaws and rules.

Steps in the Enforcement Process

The following steps must be taken by parties in dealing with complaints of alleged bylaw and rule violations.

1. SPHM must receive a complaint.
2. The board must then give the alleged offender written notice of the complaint.
3. If the alleged offender is a tenant, the board must also give the landlord and owner written notice of the complaint.
4. The board must decide whether to proceed with enforcement. It may give the alleged rule or regulation offender a warning or time to comply with the rule or regulation after receiving the written notice.
5. If the breach is corrected, the board may decide not to take any further steps or the board may proceed with further enforcement.
6. If the board decides to proceed with enforcement, it must give the alleged offender a reasonable opportunity to respond to the complaint, including an opportunity to respond at a hearing at a board meeting, if requested. If the alleged offender is a board member, that member must excuse himself or herself from the complaint process.
7. Once the alleged offender has answered or been given a reasonable opportunity to answer the complaint, the board must decide whether a rule or regulation has been broken by the alleged offender.
8. If the board decides that a rule or regulation has been broken, it must then decide how to enforce the rule or regulation against the offender.
9. Finally, the board must give written notice of its decision, "as soon as feasible" to: the offender or alleged offender; and the homeowner, if the offender or alleged offender is a tenant.

Note: the board may give the alleged offender a warning at any time before proceeding with other enforcement options.