

## **DISPUTE RESOLUTION POLICY**

- A. **Background:** The Woodrock Property Owners Association believes that the cost, complexity, and delay inherent in court proceedings make litigation an inefficient means of resolving neighborhood disagreements. Relationships in our community may be damaged through the use of adversarial means of resolving disputes. Therefore, the Association encourages alternative methods for resolving disputes.
- B. **General Policy:** In the event of a dispute between the Association and a Member or disputes between or among Members, the Association and Members involved in the dispute are encouraged to resolve the dispute using the procedures set forth below prior to filing a complaint with an outside agency or starting a legal proceeding.
- C. **Exempt Matters:**
1. The Association will not utilize this Dispute Resolution Policy in the collection of assessments and dues.
  2. The Association will not utilize this Dispute Resolution Policy if time or an applicable statute of limitations is likely to prevent the completion of the dispute resolution process before the Association must act.
  3. The Association will not utilize the Dispute Resolution Policy if the Member refuses to participate in the process.
- D. **Procedures for Resolving Disputes:**
1. **Dispute.** The Association or Member wishing to resolve a dispute will provide all other parties to the dispute, and the Association, a Description of the Dispute including applicable dates, locations, events, and other parties involved in the dispute. This description will include the requested relief.
  2. **Direct Negotiations.** The parties are encouraged to make reasonable efforts to communicate directly with each other and resolve the dispute.
  3. **Meeting with the Association Board of Directors.** The parties are encouraged to meet with the Board of Directors to determine if the Board of Directors can resolve the dispute.
  4. **Mediation.**
    - a. **Beginning the process.** Unless otherwise agreed, if the parties do not resolve the dispute within 60 calendar days of the time that the Description of the Dispute was received by the other party or parties, the parties will begin efforts to schedule a mediation session with a trained, neutral mediator to assist them in reaching their own solution. Any party may initiate the selection process by contacting the other party, or parties, and requesting mediation.
    - b. **Selecting the mediator.** Unless otherwise agreed, the parties shall select a mutually acceptable mediator within 75 calendar days of the time that the

Description of the Dispute was received by the other party or parties. Each party will provide the other parties with the name of at least one acceptable mediator. If the parties cannot agree on the mediator within 75 calendar days of the time that the Description of the Dispute was received by the other party, or parties, any party may request that the Colorado Mediation Center, LLC select a mediator. If the Colorado Mediation Center, LLC is not in existence, any party may request that the Denver Regional Office of the American Arbitration Association select the mediator.

- c. Mediation process. The mediator will facilitate the process but the mediator will not make the decision for the parties. The parties will work with the mediator to establish the date and location of the mediation meeting. Unless otherwise agreed, the cost of mediation will be shared equally among the parties. The parties and the mediator will be expected to agree on a maximum cost of the mediation process before the mediation process starts.

E. **Amendment:** This policy may be amended from time to time by the Association Board of Directors.

The President of the Woodrock Property Owners Association certifies that this policy was approved and adopted by the Association Board of Directors at a meeting of the Board of Directors held on January 14, 2021.

By:

  
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William C. Horn  
President