

**RESOLUTION
OF
THE HOMEOWNERS ASSOCIATION OF DOUBLE TREE IN HEATHERRIDGE
REGARDING ALTERNATIVE DISPUTE RESOLUTION (ADR) POLICY**

Adopted June 20, 2024

The following resolution has been adopted by **THE HOMEOWNERS ASSOCIATION OF DOUBLE TREE IN HEATHERRIDGE** (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. Mediation may be pursued by the Association before any lawsuit is filed.
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 who is familiar with the governance of owner associations.
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, 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. A mutually agreeable third party.
5. The costs of ADR shall be split between the owner and the Association. The Association's share shall be a common expense of the Association.

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 June 20, 2024 and in witness thereof, the undersigned has subscribed his/her name.

THE HOMEOWNERS ASSOCIATION OF DOUBLE TREE IN HEATHERRIDGE

By: 
Its: President