



## SB 100 & SB 89 REQUIRED POLICIES AND PROCEDURES

<b>Required Policies and Procedures:</b> <i>(To be adopted by January 1, 2006 with the exception of the Dispute Resolution Procedure, which must be adopted by January 1, 2007)</i>	<u>Date Adopted</u>	<u>Date Last Revised</u>	<u>Prepared or Reviewed by Attorney</u>
<input type="checkbox"/> <b>Adoption and amendment of policies, procedures, and rules (§38-33.3-209.5)</b> <i>Discusses procedures board uses to review, adopt, repeal and amend policies, procedures, and rules.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Collection policy and procedures (§38-33.3-209.5)</b> <i>Process used in collecting delinquent assessments, including time frames of notices, late fees and interest, indicate when an account gets turned over to legal counsel, and how payments are applied, etc.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Meetings policy and procedures (board and member meetings) (§§38-33.3-209.5, 308, and 310)</b> <i>Process/procedures for assigning proxies, use of secret ballots, rules for owner participation at board meetings, and process for providing notices of meetings.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Examination, inspection, and copying of association records, policies, and procedures (§§38-33.3-209.5 and 317)</b> <i>Procedures to be used by owners when requesting to inspect/copy association records; how requests will be processed, and how copy costs will be calculated. Includes a form to be completed by owners to request examination of records. Identifies what records are to be kept by the association and for how long. Contains description of association records that are considered confidential and not available for inspection or copying by owners.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Enforcement policy and procedures (§38-33.3-209.5)</b> <i>Includes fine schedule, notice and hearing procedures, process for complaint submissions and investigation.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Handling board member conflicts of interest policy and procedures (§§38-33.3-209.5 and 310.5)</b> <i>Process for directors to disclose conflicts and the criteria to be used by the board in determining if a conflict exists.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Reserve fund and investment policy (§38-33.3-209.5)</b> <i>Discusses methodology and standards to be used by board in deciding how to invest and manage association reserve funds.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Dispute resolution between association and owners (§38-33.3-209.5 and 124)</b> <i>Procedures to be followed involving certain owner/association disputes. Identifies the types of alternative dispute resolutions that are required, if any, the procedure for doing so, and how costs will be allocated. To be adopted by January 1, 2007.</i>	_____	_____	<input type="checkbox"/>

## SB 100 & SB 89 RECOMMENDED POLICIES AND PROCEDURES

<u>Recommended Policies and Procedures:</u>	<u>Date Adopted</u>	<u>Date Last Revised</u>	<u>Prepared or Reviewed by Attorney</u>
<input type="checkbox"/> <b>Architectural review policy and procedures (§38-33.3- 302(3)(b) and §38-35.7-102)</b> <i>Standards and procedures to be used in reviewing owners' architectural requests, including checklists and forms to be used by the association when reviewing requests, which lists the required criteria for approval.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Procedures for claims submissions to association's insurance carrier (§10-4-110.8(5))</b> <i>Procedures to be followed by owners when submitting claims to the association's insurance carrier and handling of deductibles.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Procedures regulating flags/flagpoles (§38-33.3-106.5)</b> <i>Limitations on size, location and mounting of American and military service flags and flagpoles.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Procedures regulating political signs (§38-33.3-106.5)</b> <i>Limitations on size, location and number of political signs.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Xeriscaping guidelines (§37-60-126)</b> <i>Clarifies what xeriscaping will be permitted and defines "reasonable and practical" time for owners to revive grass after water restrictions lifted.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Emergency Vehicle parking policy and procedures (§38-33.3-106.5)</b> <i>Guidelines and limitations on parking emergency vehicles in the community.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Procedures to be used by association in cooperating with owners selling units (§38-35.7-102)</b> <i>Outlines procedures to be followed by owner to authorize association to provide association documents in conjunction with unit sale and describes the steps to be taken by association upon receipt of authorization.</i>	_____	_____	<input type="checkbox"/>
<input type="checkbox"/> <b>Procedures to be used by owner when replacing flammable roofing materials with nonflammable roofing materials (§38-33.3-106.5(2))</b> <i>Outlines procedures to be followed by owner when replacing flammable roofing materials with nonflammable roofing materials, including standards for color, appearance, and type of nonflammable roofing materials that may be used.</i>	_____	_____	<input type="checkbox"/>

In addition to the above policies and procedures, we recommend that an association whose declaration contains provisions that are superseded by SB 100 or SB 89 record a one-page notice with the County Clerk & Recorder's Office to serve as notification that such provisions have been superseded by state law and are no longer enforceable.