

**B. Discretionary dispute resolution procedures.** The procedures set forth below may be used in disputes between Owners and residents. At its discretion, the Board of Directors may utilize the procedures set forth below to resolve disputes with Owners prior to filing litigation.

**(i) Negotiation.** A request for dispute resolution by negotiation may be initiated by an Owner or the Association. Any such request shall be in writing stating the nature and details of the dispute and shall be personally delivered to the other party. So long as the other party agrees to negotiate, a meeting shall be held between the parties to begin a good faith attempt to negotiate a resolution not less than 14 or more than 30 days of receipt of such request, unless otherwise extended by written agreement. Through negotiation, the parties will communicate directly with each other in an effort to reach an agreement that serves the interests of both parties. Should the dispute pertain to property issues, each party will be granted the right to inspect the alleged defects or problems at a time convenient to everyone involved.

**(ii) Mediation.** If the dispute is not resolved by negotiation, any party may request in writing that the issue be submitted to mediation. If the parties agree to mediate the dispute prior to seeking other remedies, they shall participate in good faith in the mediation. The role of the mediator is to facilitate further negotiation between the parties. The mediator will not have power to decide how to resolve the dispute but will use recognized, accepted mediation techniques to assist the parties in making that decision. The mediator shall be selected by a consensus of the parties involved within 14 days of the receipt of the request. Any cost of mediation will be shared equally among the parties unless they and the mediator agree otherwise. The mediation agreement, if one is reached, may be presented to the court as a stipulation. Either party to the mediation may terminate the mediation process without prejudice. If either Party subsequently violates the stipulation, the other Party may apply immediately to the court for relief.

By: Joyce Scanhill  
Joyce Scanhill, President

By: Janna Lilly  
Janna Lilly, Secretary

SUBSCRIBED AND AFFIRMED  
BEFORE ME IN THE COUNTY  
OF ARCHULETA, STATE OF COLORADO  
THIS 10<sup>th</sup> DAY OF May, 2019

BY: Tiffany Martin  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 10/19/19

Date: 5-10-19



RES 2019-04  
Adopted 5/2019



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Kristy Archuleta  
Archuleta County