

THE VILLAGE AT RIO PASEO CONDOMINIUM ASSOCIATION
Board, Committee Member, and Meeting Conduct
Code of Conduct

Board Members of The Village at Rio Paseo Condominium Association are representatives of the community and as such should follow a high standard of conduct and cooperation with other Board Members, Committee chairs and members, staff and residents during all meetings, events and deliberations. The standard is represented by the following tenets.

Board Members shall:

- Treat other Board members, Committee members, staff and audience with courtesy and respect at all times.
- Behave in a professional and businesslike manner during all meetings.
- Prepare for meetings by reading all reports and presentations before the meeting.
- Advise all Board members of any pending issues and requests before the Board, and all reasonable and facts related to those pending issues and requests, in advance of any meeting of the Board so the Directors may evaluate and consider all facts and positions before voting.
- Promptly advise the Board of all complaints or suggestions received from residents, homeowners, tenants, and vendors concerning the actions of the Board or issued that should be addressed by the Board or Association. Board members shall not disclose the identity of the person or persons making such complaints or suggestions unless expressly authorized to do so or required to do so by law.
- Attend regularly scheduled board meetings in person or by teleconference as agreed upon by the Board president and staff.

Board Members should refrain from:

- Discussing or sharing Board or Committee business outside the parameters established by the Board and Committee.
- Using their position as a Board member for private gain.
- Soliciting or accepting, directly or indirectly, any gifts, gratuity, favor, entertainment, loan or any other thing of monetary value from a person who is seeking to obtain contractual or other business or financial relations with the Association, unless full disclosure is made before, and approved by the Board.
- Representing the Board with any external agency unless explicitly authorized by the Board.
- Acting in the interests of a specific resident or business unless that interest is representative of the larger community, and only if the Board member does not have a personal or business relationship with that specific resident or business.
- Engaging in any writing, publishing, or speechmaking that defames another Board member or resident.
- Engaging in any act, during the member's tenure with the Board that subverts, hinders or prevents the Board from fulfilling its obligations. Such acts include disparaging the

character actions and motivations of Board members or encouraging, supporting or joining others who seek to do so.

- Willingly misrepresenting facts to residents of the community for any reason, including but not limited to advancing a personal cause or influencing the community to place pressure on the Board to advance a single Board member's personal cause.

Committee Members represent the Board of Directors, the Association, and the community. Board appointed Committees perform important work in the conduct of the business of the Association on behalf of its residents. In undertaking this work, it is important that committee members adhere to a high standard of conduct as represented by the following tenets.

Committee chairs and members should:

- Attend regularly-scheduled meetings in person or by teleconference as agreed upon by the Committee Chair and staff. At the chair's discretion, members who miss three (3) consecutive meetings may be asked to resign from the committee.
- Treat other Committee members, Board members, residents, Owners, vendors, guests and staff with courtesy and respect at all times.
- Prepare for meetings by reading all reports and presentations before the meeting.
- Make every attempt to alert Board and Committee members and staff about issues and requests before an open meeting.
- Remain objective in decisions and preparation of recommendations for the Board, and act in the best interests of all constituencies, Owners, residents and businesses.
- Acknowledge prior or current relevant personal or business relationships before sharing an opinion on any issue under discussion.

Committee members should refrain from:

- Discussing or sharing Committee business outside the parameters established by the Committee.
- Representing the Board with any external agency unless explicitly authorized by the Board.
- Voting on any issue regarding which the Committee member has, or previously had, a business or close personal relationship.

Meeting Conduct: All Members (including Board and Committee Members) or representatives in attendance at any Association meeting shall:

- Conduct themselves in a dignified, reserved and professional manner at all times.
- Wait to be formally recognized by the chairperson of the meeting if the Member wishes to speak at the meeting. No Member shall speak out of order or without recognition of the meeting chairperson, nor shall any Member engage in any activity which interrupts or distracts any other Member when another Member has the floor for discussion purposes. At all times the meeting chairperson shall determine who has the floor to speak and may impose reasonable time limitations pursuant to statute.

- Act, speak and communicate in a calm and reasonable manner, in setting forth, elucidating or underscoring any points to be made, or in resolving any issues under discussion or consideration.
- Refrain from exhibiting anger or hostility, and from directing verbal or written abuse (e.g., verbal or written language that can reasonably be considered to be prejudicial, condescending, aggressive, belittling, or impolite) against anyone. There shall be no physical contact or non-physical harassment.
- Refrain from making accusations against anyone which are needlessly inflammatory.
- **Enforcement.** After one verbal warning by the meeting chairperson, any Member who violates this code may be escorted off of the premises of the meeting by personnel from the Association's security company. The Board shall also have the right to levy a fine against this Member for their conduct pursuant to the Governing Documents and A.R.S. §33-1242. Additionally, if the Member refuses to leave the premises, the Association Board of Directors may adjourn the meeting upon an affirmative majority vote of the Board of Directors to that effect and/or contact law enforcement personnel should the Board of Directors deem such action necessary. If the Association accrues a common expense based upon a Member's conduct the Association shall have the right to assess that expense back to the Member pursuant to A.R.S. § 33-1255(E).

Sanctions & Remediation for Code of Conduct Violations:

If a Board Director, Committee member, or any Owner has reasonable cause to believe a Director or Committee member has violated a tenet of this policy that person shall file a formal complaint with the Board of Directors outlining the basis for such belief. After receiving such a complaint the Board of Directors shall notify the accused Director/Committee member and afford the accused Director/Committee member an opportunity to explain the alleged failure to comply.

After hearing or reviewing the Director/Committee member's response, if any, the Board of Directors may take the following actions as it deems appropriate:

- Accept the response, determine there is no violation of this Code of Conduct, and close the alleged violation.
- Issue a letter of warning to the subject Director/Committee Member.
- Issue a written reprimand for each violation to be recorded in the meeting minutes of the Board.
- Temporary suspension or permanent removal of the Committee Member from the Committee.
- The Board shall also have the right to levy a fine against this Director or Committee Member for their conduct pursuant to the Governing Documents and A.R.S. §33-1242 as set forth below.

SUPPLEMENTAL FINE POLICY

Any Owner that fails, or an Owner's guest, invitee, resident, or tenant fails, to comply with this rule will be subject to the following action:

FIRST VIOLATION: A \$100.00 FINE will be assessed after notice and opportunity to be heard.

SECOND VIOLATION: A \$200.00 FINE will be assessed, regardless of whether the first violation is reduced or rescinded, after notice and opportunity to be heard.

CONTINUING VIOLATIONS: If any subsequent violations occur, a \$500.00 FINE will be assessed after notice and opportunity to be heard, and/or the Owner will be sent to the Association's attorney for legal action.

FINES: No fine shall be imposed without first providing a notice of the violation from the Association to the Owner describing the violation and the opportunity to be heard as set forth below. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under the CC&Rs.

INJUNCTIVE RELIEF: In addition, nothing in this Rule and Fine Policy will limit the Board of Director's right to seek immediate Injunctive Relief at any time regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the CC&Rs, in addition to the above mentioned fine policy.

FINE APPEAL PROCESS


- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL".
- When an Owner desires to appeal a violation, he/she must so notify the Management Company in writing within ten (10) days after the date of the violation notice.
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&Rs and/or guidelines.
- Appeals shall include all pertinent backup information to support the existence of the extenuating circumstance.
- All decisions of the Board of Directors are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board of Directors and shall be considered DENIED.
- The Owner appealing the violation will be given written notice that a hearing on the appeal is scheduled.
- The appeal shall be heard in Executive Session unless requested otherwise.
- The Board President will introduce all parties.
- Lengthy discussions are not a part of an appeal process.
- The Owner who is appealing will be asked to state his or her case and present any applicable documentation.
- Each Board Member will have the opportunity to ask the Owner specific questions regarding the appeal.

- Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board of Directors will make its decision in closed session. Written Notice of the Board's decision will be delivered to the Owner within seven (7) working days.

BE IT ALSO RESOLVED, that this resolution and amendment to the Association Rules be included in the books and records of The Village at Rio Paseo Condominium Association and that a copy of this resolution and amendment be sent to all homeowners.

IN WITNESS WHEREOF, The Village at Rio Paseo Condominium Association, an Arizona nonprofit corporation, has executed this Rule as of the day and year first written above.

The Village at Rio Paseo Condominium Association,
an Arizona nonprofit corporation

By: 
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Its: President