

South Riding Proprietary, Inc.
Administrative Resolution No. A2003-1
Member in Good Standing Policies

WHEREAS, Article 2, Section 2.1 (6) of the South Riding Proprietary (Association) Articles of Incorporation (Articles) defines the term "Board of Directors" or "Board" (Board) as the administrative and executive entity that serves as the governing body of the Association; and

WHEREAS, Article 5, Section 5.3 of the Articles provides the qualifications for election to the Board; and

WHEREAS, Article 4, Section 4.1 of the (Association) Bylaws provide that the business and affairs of the Association shall be managed by the Board of Directors (Board) and furthermore prescribes certain powers and duties of the Board; and

WHEREAS, Article 7, Sections 7.1 through 7.3 of the Bylaws obligates or empowers the Board to create and abolish committees to aid in the administration of the affairs of the Association, and to prescribe the powers and duties of such committees; and

WHEREAS, Article 2, Section 2.1 (23) of the Articles defines the term "Owner" and such definition provides that the term "Owner" is also used to mean a "member" of the Association; and

WHEREAS, Article 4, Section 4.1 of the Articles defines who shall be a member of the Association and furthermore provides that such membership in the Association is mandatory and automatic with ownership of a Lot; and

WHEREAS, Article 4, Section 4.2 of the Articles defines the Classes of Owners and the voting rights of each such Class; and

WHEREAS, Article 1, Section 1.1 (29) of the Association Declaration defines Owner with the same definition as used in the Articles; and

WHEREAS, Articles 1 through 19 of the Declaration contain Lot ownership responsibilities imposed upon the Owners, including but not limited to financial obligations, maintenance obligations and Lot use restrictions; and

WHEREAS, Articles 1 through 19 of the Declaration contain remedies the Board may use to require compliance with the Lot ownership responsibilities outlined in the Declaration that are imposed upon the Owners, and such remedies include but are not limited to the ability to revoke certain rights and privileges that are otherwise automatically enjoyed by virtue of membership in the Association; and

WHEREAS, the Board desires to specifically define when an Owner's standing with the Association with respect to adherence to all financial obligations, maintenance obligations and Lot use restrictions is in good standing, however the provisions of the Association Documents shall control in any case of conflict between this Resolution and the Association Documents.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board adopts the following definitions of "Member in Good Standing" of the Association as such term applies to rights and privileges afforded by virtue of membership in the Association.

- A. Election to be a member of the Board or service on the Board (Article 5, Section 5.3 (a) of the Articles)** – A member in good standing is an Owner or representative of such Owner who is not more than sixty days delinquent in meeting financial obligations to the Association or who

has not been found by the Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration.

- B. Service on all committees established by the Board** – A member in good standing is an Owner who is not more than sixty days delinquent in meeting financial obligations to the Association, or who has not been found by the Covenants Committee or the Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration. Notwithstanding the terms of this section, a member shall be provided with 30 days following a hearing, or such other time as may be provided as a result of a hearing, whichever is less, to cure a violation before such member is considered to not be in good standing.

In the case of a non-Owner serving on a committee, a member in good standing is the tenant of an Owner who is not more than sixty days delinquent in meeting financial obligations to the Association or who has not been found by the Covenants Committee or Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration. Notwithstanding the terms of this section, a member shall be provided with 30 days following a hearing, or such other time as may be provided as a result of a hearing, whichever is less, to cure a violation before the tenant of such member is considered to not be in good standing.

- C. Voting rights at Association meetings (Article 3, Section 3.2 (d) of the Bylaws)** – A member in good standing is an Owner who is not more than sixty days delinquent in meeting financial obligations to the Association at the time of a meeting where a vote of the members is taken, or has not been found by the Covenants Committee or the Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration.
- D. Right to use of Recreation Facilities and other Common Areas (Article 12, Section 12.1 (h) of the Declaration)** – A member in good standing is an Owner who is not delinquent in meeting any financial obligations to the Association, regardless of duration, or has not been found by the Covenants Committee or the Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration. Notwithstanding the terms of this section, an Owner who has been found at a hearing to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration, shall not be denied the use of Recreation Facilities and other Common Areas for more than sixty (60) days following such hearing.

In the case of a non-Owner's right to the use of Recreation Facilities and other Common Areas a member in good standing is the tenant of an Owner who is not delinquent in meeting any financial obligations to the Association, regardless of duration, or has not been found by the Covenants Committee or the Board, after a hearing, to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration. Notwithstanding the terms of this section, the tenant of an Owner who has been found at a hearing to be in violation of the Association Documents or Rules and Regulations, as such terms are defined in the Association Declaration, shall not be denied the use of Recreation Facilities and other Common Areas for more than sixty (60) days following such hearing.

- E. Verification** – Any Owner desiring to verify their membership standing with the Association may send a written request to the Proprietary General Manager at the office of the Association. All such requests will be responded to in writing. The General Manager may designate another Association employee or agent (Designee) to act in his or her place for the purposes of responding to such requests. An adverse determination by the General Manager or his or her Designee may be appealed to the Covenants Committee or Board, as appropriate.

**SOUTH RIDING PROPRIETARY
RESOLUTIONS ACTION RECORD**

Resolution Type: Administrative No. A2003-1

Pertaining to: Member in Good Standing Policies

Duly adopted at a meeting of the Board of Directors held May 8, 2003

Motion by: Mr. Gilligan Seconded by: Mr. Dei

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Mr. Harris</u>	X			
<u>Mrs. Bacak</u>	X			
<u>Mrs. Horne</u>	X			
<u>Mr. Dei</u>	X			
<u>Mr. Ceresa</u>	X			
<u>Mr. Gilligan</u>	X			
<u>Mr. Salmon</u>	X			

ATTEST:



President

5/16/03
Date

FILE:

Book of Minutes - 2003
Book of Resolutions:

	Book No.	Page No.
Administrative	<u>1</u>	_____
Policy	_____	_____
Regulatory	_____	_____
Special	_____	_____
General	_____	_____

Resolution effective: June 1, 2003