

Village Nine Filing 3 and 4 Homeowners Association, Inc.
Policy Regarding Disputes Between the Association and Members

BE IT RESOLVED, the Association, acting by and through its Board of Directors, hereby adopts the following policy and procedures relating to the conduct of meetings.

EFFECTIVE DATE: August 29th, 2025.

1. **Purpose.** The Board of Directors, finding that the cost and delay of litigation is often an inefficient means of resolving disputes within the community, wishes to encourage the resolution of disputes through alternatives to litigation.

2. **Disputes between Owners.** With respect to disputes between Owners, the Association encourages the parties to seek remedies through procedures other than litigation, such as negotiation, facilitation, mediation, or arbitration.

2.1 Excepted as provide in Section 2 of this Policy, when the Association is involved in a dispute with one or more Owner(s), the Board, in its sole discretion, may elect to engage in alternative dispute resolution, if this is agreed to by all parties to the dispute. However, under no circumstances shall the Association be required to participate in any alternative dispute resolution proceeding.

3. **Exceptions.** Notwithstanding the above, the Association shall not engage in alternative dispute resolution for the following actions, conditions, or circumstances.


- a. Any suit by the Association for recovery of one or more installments of unpaid assessments and other amounts due to the Association;
- b. Any suit by the Association to obtain a temporary restraining order, injunction, or such other ancillary relief as the court may deem necessary to preserve the Association's ability to act under and enforce the provisions of the Governing Documents;
- c. Any suit exclusively between Owners, in which the Association is not a party; any suit between Owners in which the Association has been named as a defendant; or, in any suit between Owners in which the Association has chosen to intervene;
- d. Any suit in which the statute of limitations will expire with less than 6 months. However, although not obligated, the Association may agree to engage in alternative dispute resolution that is conducted simultaneously to litigation; or
- e. Under the circumstances where litigation is ongoing, the Association shall not be required to engage in alternative dispute resolution procedures for new claims that may arise in conjunction with the litigation, except for by order of the court.

CERTIFICATION: The undersigned certifies that the Board of Directors of the Association adopted the foregoing policy by majority vote.

VILLAGE NINE FILING 3 AND 4 HOMEOWNERS ATTEST:
ASSOCIATION, INC.



Matt Pinnt, President



Jeff Childers, Secretary