

**HOMESTEAD IN THE WILLOWS HOMEOWNERS ASSOCIATION, INC.  
POLICY REGARDING HARASSMENT AND CODE OF CONDUCT**

Adopted October 22, 2021

The following policy has been adopted by the Homestead in the Willows Homeowners Association, Inc. (the "Association") pursuant to the provisions of C.R.S. § 38-33.3-302 at a regular meeting of the Board of Directors.

Purpose: To provide notice of the Association's adoption of a policy that defines and prohibits harassment in the Homestead in the Willows Homeowners Association, Inc.'s community and establishes certain codes of conduct.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy prohibiting harassment in the community and establishing certain codes of conduct:

A. **Harassment**

1. Owners, their residents, guests, and invitees are prohibited from harassing any agent of the Association, including the Association's Board of Directors, officers, employees, community manager, vendors, and agents. It shall also be a violation of this Policy to harass other owners or residents.
2. Harassment shall include one or more of the following actions, whether in person, or by phone, or via any form of electronic media or other communication or correspondence:
  - a. Insulting, taunting, challenging, or making communications in offensive language to another in a manner likely to provoke a violent or disorderly response; or,
  - b. Sending excessive correspondence, including mail, emails, or phone calls, beyond what is reasonable in the ordinary course of business; or,
  - c. Deliberately and repeatedly triggering recording devices located on residents' property; or,
  - d. Refusing to resolve differences in good faith and in a reasonable manner; or,
  - e. Making repeated communications without allowing a reasonable amount of time to allow for adequate research, verification, and transmitted response to be provided; or,
  - f. Making degrading, disrespectful, demeaning, or other hostile comments toward Board members, committee members, management, contractors, vendors, or other owners, or;
  - g. Making insulting, patronizing, belittling, "name-calling," or condescending comments towards any person.

## **B. Code of Conduct**

1. No Owner shall interfere with a contractor or vendor engaged by the Association while a contract is in progress. Owners shall not provide direction to the Association's contractor or vendors, including the Association's manager. All communications with the Association's contractors or vendors, other than the Association's manager, shall go through the Association's manager and/or the Board.
2. Owners have the right to attend Board and Owner meetings, as permitted by Colorado law, and subject to any meeting policies and procedures adopted by the Board, such as a conduct of meeting policy. Should an Owner wish to raise a discussion item at a Board or Owner meeting, the Owner may do so in a civil manner, without the use of profanity, physical or verbal threats, or derogatory or insulting comments. Any issue raised will be responded to in a civil manner, and resolved or responded to in accordance with the Association's governing documents, either at the meeting at which the issue was raised, or within a reasonable period of time thereafter depending on the issue raised.
3. Any other communications to any agent of the Association, including the Association's Board members, officers, contractors, vendors, volunteers, employees, and manager, whether verbally or in writing, shall be done in a civil manner, without the use of profanity, physical or verbal threats, or derogatory or insulting comments.

## **C. Violations of Law**

1. The following may be a violation of law. Any of the following behaviors should be reported to the police or appropriate law enforcement authorities for enforcement:
  - a. Striking, shoving, kicking, or otherwise touching a person or subjecting such person to physical contact without their consent; or,
  - b. In a public place, directing obscene language or making an obscene gesture to or at another person; or,
  - c. Following a person in or about a public place; or,
  - d. Initiating communication with a person, anonymously or otherwise, by telephone, computer, or any electronic means in a manner intended to harass or threaten bodily injury or property damage, or making any obscene comment, request, suggestion, or proposal by telephone, computer, or any electronic means; or,
  - e. Making a telephone call or causing a telephone to ring repeatedly, whether or not a conversation ensues, with no purpose of legitimate conversation; or,
  - f. Making repeated communications, including, but not limited to, via mail, email, text, or telephone, that invade the privacy of another's home, private residence, work

place, or other private property.

**D. Enforcement**

1. A violation of this Policy shall be deemed a nuisance pursuant to the Declaration. The alleged violator shall be subject to any and all enforcement rights of the Association pursuant to the Declaration and the Association's enforcement policy, including but not limited to, fines up to \$500.00 per occurrence after notice and opportunity for hearing, initiation of legal proceedings, and any other terms and provisions of the Declaration and Colorado law governing the community.
  
2. In addition, if an Owner is found to be in violation of this Policy, the Board may require any and all future communication from such Owner to any agent of the Association, including the Association's Board members, officers, volunteers, employees, and manager to be only in writing and sent by U.S. mail. (An exception will be made for reporting emergency situations that will result in imminent damage to persons or property if left unattended.) If an Owner fails to comply with such a demand, the matter may be referred to the Association's attorney and the Association may thereafter require that all correspondence be sent by U.S. Mail to the Association's attorney.

Homestead in the Willows Homeowners  
Association, Inc.

By: \_\_\_\_\_  
President