

A GRIEVANCE LIST FROM POUUDRE OVERLOOK HOMEOWNERS ON THE RECALL COMMITTEE

The following information is supported by various Board emails, letters and meeting minutes, as well as letters from the HOA attorney

1. The communication pattern of the Board with homeowners is not in the best interests of the Community. While it meets the minimum legally required in content and timing, interested HOA members would be greatly assisted if better communication was supported and utilized.
2. There are troubling and possibly illegal communication patterns among Board members themselves. Restricted communication and willful avoidance can be evidenced in several emails. The HOA attorney was unilaterally limited to one or two people with whom he could communicate which is a set up for misrepresentation.
3. The Board has frequently acted without following Colorado laws, our HOA documents and/or Robert's Rules of Order, which are required to be followed. The way many meetings are conducted is not conducive to fairness and openness.
4. Individual Board members improperly used the ACC (Architectural Control Committee) and CCR (Covenants, Conditions and Restrictions) committees as enforcement bodies. Many of the actions taken by these individuals in the name of the committees appear to have never been discussed or approved at the Board or committee level.
5. The Board is unapproachable. There have been instances in public where tempers flared inappropriately, condescending and intimidating fingers were pointed, and disturbing yelling occurred.
6. The Board has stated incorrectly that it is superior to and has power over HOA members. For example, the Board stated that HOA members cannot understand the issues surrounding the hiring of a property management company and therefore only the Board will make the decision on this issue. The HOA membership has the final legal say over the Board in every respect.
7. Some members of the Board acknowledge they've kept poor records and use this as an explanation for the misperception of their behavior.
8. The unfortunate sequence of events regarding the roof on Tributary Court reveals a poorly worded blanket approval of replacement roofs and the illegal imposition of fines in the first notice of violation without the legally required mention of hearing and appeals processes. Also, the Board chose to not hold a required fair and proper hearing as correctly requested later by the homeowners, despite the HOA attorney questioning this decision. In response to the HOA attorney's hesitation, the Board held a so-called and publicly unannounced "hearing" during a Board special meeting at which the

representation for the homeowners was limited to only a previously written letter from the homeowners' attorney.

9. The Board was made aware of their many improper actions by one of their own members in a formal notice of violation last May. This notice was essentially and willfully ignored, placing the HOA at risk of losing their insurance coverage, which would expose HOA members to financial liability for Board errors.

10. Explanations provided by at least two current and former Board members for the grievances listed above are that "we didn't know any better," and "the paperwork does not reflect what really happened." Ignorance is not a legal defense for violations. These explanations fly in the face of common sense, accountability, good faith and the current Board's level of experience where one member has over 10 years' experience as an HOA Board member.