



ISSAQUAH HIGHLANDS
**COMMUNITY
ASSOCIATION**

COVENANTS COMMITTEE CHARTER, ROLES & RULES

Pursuant to Article 6.2 of the IHCA By-laws, the Covenant Committee shall adhere to the following:

6.2 Covenants Committees. In addition to any other committees which the Board may establish pursuant to Section 6.1, the Board may appoint a Covenants Committee consisting of at least three and no more than seven Members. Acting in accordance with the provisions of the Declaration, these By-Laws, and resolutions the Board may adopt, the Covenants Committee, if established, shall be the hearing tribunal of the Residential Association and shall conduct all hearings held pursuant to Section 4.24 of these By-Laws.

Pursuant to Article 4.24 of the IHCA By-laws, the Covenant Committee shall adhere to the following:

4.24. Enforcement. In addition to such other rights as are specifically granted under the Declaration, the Board shall have the power to impose reasonable monetary fines, which shall constitute a lien upon the Unit of the violator, and to suspend an Owner's right to vote for violation of any duty imposed under the Declaration, these By-Laws, or any Residential Association rules. In addition, the Board may suspend any services provided by the Residential Association to an Owner or the Owner's Unit if the Owner is more than 30 days delinquent in paying any assessment or other charges owed to the Residential Association. In the event that any occupant, tenant, employee, guest or invitee of a Unit violates the Declaration, By-Laws, or a rule and a fine is imposed, the fine shall first be assessed against the occupant; provided, however, if the fine is not paid by the occupant within the time period set by the Board, the Owner shall pay the fine upon notice from the Residential Association. The failure of the Board to enforce any provision of the Declaration, By-Laws, or any rule shall not be deemed a waiver of the right of the Board to do so thereafter.

(a) Notice. Prior to imposition of any sanction hereunder or under the Declaration, the Board or its delegate shall serve the alleged violator with written notice describing (i) the nature of the alleged violation, (ii) the proposed sanction to be imposed, (iii) a period of not less than 10 days within which the alleged violator may present a written request for a hearing to the Board or the Covenants Committee, if one has been appointed pursuant to Article VI, and (iv) a statement that the proposed sanction shall be imposed as contained in the notice unless a challenge is begun within 10 days of the notice. If a timely request for a hearing is not made after notice of a proposed sanction is given, the sanction stated in the notice shall be imposed; provided the Board or the Covenants Committee may, but shall not be obligated to, suspend any proposed sanction if the violation is cured within the 10-day period. Such suspension shall not constitute a waiver of the right to sanction future violations of the same or other provisions and rules by any Person.

In the event that, in an emergency situation, the Board enforces any provision of the Declaration, these By-Laws, or the rules of the Residential Association by self-help, in accordance with subsection (d), the Board shall provide notice of the self-help action to the alleged violator within five days of taking such action. Such notice shall describe (i) the nature of the alleged violation, (ii) the self-help action taken, and (iii) any Specific Assessment to be levied for the expenses associated with taking such action.

(b) Hearing. If a hearing is requested within the allotted 10-day period, the hearing shall be held before the Covenants Committee, or if none has been appointed, then before the Board in executive session. The alleged violator shall be afforded a reasonable opportunity to be heard. Prior to the effectiveness of any sanction hereunder, proof of proper notice shall be placed in the minutes of the meeting. Such proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered such notice. The notice requirement shall be deemed satisfied if the alleged violator or its representative appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction, if any, imposed.

(c) Appeal. Following a hearing before the Covenants Committee, the violator shall have the right to appeal the decision to the Board. To exercise this right, a written notice of appeal must be received by the manager, President, or Secretary of the Residential Association within 10 days after the hearing date.

(d) Additional Enforcement Rights. Notwithstanding anything to the contrary in this Article, the Board may elect to enforce any provision of the Declaration, these By-Laws, or the rules of the Residential Association by self-help in an emergency situation (specifically including, but not limited to, the towing of vehicles that are in violation of parking rules) or, following compliance with the dispute resolution procedures set forth in Article XIV of the Declaration, if applicable, by suit at law or in equity to enjoin any violation or to recover monetary damages or both, without the necessity of compliance with the procedure set forth above. In any such action, to the maximum extent permissible, the Owner or occupant responsible for the violation of which abatement is sought shall pay all costs, including reasonable attorney's fees actually incurred. Any entry onto a Unit for purposes of exercising this power of self-help shall not be deemed as trespass.

Purpose: The Covenants Committee shall serve at the pleasure of the IHCA Board of Directors. The Covenants Committee shall be the liaison between residents and the IHCA BOD. The Covenants Committee will advise the IHCA BOD of upcoming hearings as they arise.

Members: Each committee member shall be a member in good standing of the Association. A member in good standing is defined as a member current on assessments and otherwise in compliance with the governing documents of the IHCA.

Committee membership for an individual may be revoked by the IHCA BOD when either:

1. The member resigns in writing. A member may resign at any time by giving written notice to the Chairperson. The resignation shall take effect on the date of the receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
2. The member's committee term expires.
3. The member misses two consecutive meetings during their first six months of membership.
4. The member has three unexcused absences from meetings in a twelve-month period.
5. At the discretion of the IHCA BOD.

Meetings: Meetings shall be held on an as needed basis and/or one time per year in February. All Committee members will receive a minimum two week notification prior to meeting dates.

Authority: The Committee must obtain prior Board approval for the expenditure of any funds.

Roles:

Chair: The Covenants Committee Chair shall preside over all meetings. The Covenants Committee Chair will be responsible for creating a report to present to the IHCA BOD at its next meeting. The report shall be delivered to the managing agent (IHCA) no later than 10 days prior

to the IHCA BOD's monthly meeting.

Secretary: The Covenants Committee Secretary shall be elected at the end of each term. The secretary shall be responsible for recording the minutes of the Covenants Committee meetings. Minutes, once approved by the Committee, shall be posted on the IHCA website within 1 week after delivery to the managing agent (IHCA).

Managing Agent: The Covenants Committee shall have a representative from the managing agent, the IHCA, present at all meetings. The IHCA member will also gather and disperse pertinent information relevant to each committee meeting.