

Board Resolution
The Oaks at Fowler Homeowners Association, Inc.
Rules and Policies Regarding Improper Treatment of Residents,
Employees and Contractors

WHEREAS, the Board of Directors ("Board") of The Oaks at Fowler Homeowners Association ("Association") has the power to adopt rules, as well as all powers reasonably necessary to exercise its rights and privileges under the Declaration;

WHEREAS, the Board wishes to ensure that The Oaks at Fowler is maintained as an environment free of harassment and that all Members and Residents of the Association maintain a high standard of ethical conduct while residing within The Oaks at Fowler.

WHEREAS, capitalized terms not otherwise defined herein have the definition provided for in the Declaration of Covenants, Conditions, and Restrictions ("Declaration").

NOW, THEREFORE, BE IT RESOLVED THAT the Board of the Association hereby adopts the following anti-harassment policy, standards and behavior, ethical rules, and enforcement procedures that are applicable to all Members and Residents of the Association:

It is the policy of the Association to create and maintain an environment free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. The Association will not tolerate hostility or favoritism toward an individual based on race, color, creed, sex, national origin or age. Furthermore, actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, or any legally protected characteristic will not be tolerated. The Association will not condone such behavior by or from any Member, Resident, guest, or invitee (collectively "Persons").

All Persons shall refrain from harassing other Persons, directors of the Board, Association committee members, or management staff. Persons shall not in any way harass, threaten, or otherwise attempt to intimidate any other Persons, director of the Board, Association committee members, or management staff. All Persons shall refrain from any inappropriate or unwanted touching of other Persons, directors of the Board, Association committee members, or management staff. The Association shall deem any Person who harasses, threatens or otherwise attempts to intimidate, or touches inappropriately without consent, other Persons, directors of the Board, Association committee members, or management staff, to be in violation of this Policy.

For the purpose of this Policy Harassment shall include, but not limited to, the following:

1. Threats of physical violence.
2. Verbal abuse which causes serious emotional distress or the reasonable apprehension thereof.
3. Intimidation.
4. Physical abuse or violence.
5. Yelling or screaming in a manner that is intended to intimidate individuals within the community.
6. Cyber threats.
7. Stalking or surveillance.
8. Sexual harassment.
9. Disseminating false information knowing it to be false or with reckless disregard for whether it is truthful.
10. Cyber crime.
11. Loud, profane, indecent or abusive language.

All Persons must conduct themselves in a civil and courteous manner at all times and must not jeopardize or interfere with the rights and privileges of others. Conduct is considered uncivil or uncourteous if a person is visibly intoxicated, or engages in rudeness, personal attacks, insults, name-calling, or uses derogatory language towards another, or engages in aggressive behavior towards another, or engages in behavior that tends to cause embarrassment or discomfort to others.

All Persons shall refrain from interfering with the duties of directors of the Board, Association committee members, management staff and contractors. No Person shall interfere with the duties of the management staff or any contractor executing a contract in process. All communications with contractors must go through the President of the Board or management, or must otherwise be in accordance with Board policy.

All Persons shall show respect to fellow Persons, directors of the Board, Association committee members, and management staff.

Persons shall report any inappropriate and discourteous conduct, or conduct believed to be in violation of this resolution, to the appropriate management staff.

All Members shall be responsible for the conduct of their Residents, family members, guests and invitees while within The Oaks at Fowler. Members shall be responsible for ensuring that their Residents, family members, guests and invitees comply with this Policy and all documents governing the Association.

VIOLATIONS OF POLICY

The Board shall determine, in its sole discretion, whether acts occurring within the Association create a hostile environment or constitute harassment. Acts may be considered to create a hostile environment regardless of whether they take place in person or through other communication mediums, such as email or social media.

The Board shall determine, in its sole discretion, looking at the totality of the circumstances, whether an act arises to the level of violating this Policy.

If any Board member(s) is accused of any harassment or any other provision of this policy, they shall recuse themselves from any discussions or determinations regarding whether conduct has breached the Policy.

Any Member or Resident who is found to be in violation of this Policy will be subject to appropriate remedial action. Such remedial action shall include all remedies available at law or in equity, and may include, but not be limited to, injunctive relief being sought against him/her, fines, requiring all further communications from the Member or Resident to be in writing, and suspension of membership privileges. Such remedial action shall be at the sole discretion of the Board of Directors.

According to Article IX, Section 9.5 of the Declaration, the cost of enforcing this Policy, whether or not suit is filed, including but not limited to, reasonable attorney's fees, court costs, out of pocket expenses, costs of investigation, and other expenses related to the enforcement, together with interest thereon from the date the costs are expended, constitute a lien on the Lot owned by the Member against whom action is taken, and shall also be the personal obligation of the Member.

Any action or behavior in violation of this Policy may be reported to the authorities.

This resolution is effective immediately.

Duly adopted by the The Oaks at Fowler Board of Directors on September 19, 2024.

Anthony Duryea
President

9/19/24
Date

Gordon S. Hor
Vice President

9-19/24
Date

Clyde C. Wiggins
Secretary / Treasurer

9/19/24
Date