

GVCA Facility Suspension Rule

Passed at the July 17, 2012, GVCA Board of Trustees Meeting

As owners of each of the condominium units located in the 18 condominium associations within Greenwood Village are owners in/members of both their respective condominium association as well as GVCA, and as each of the 18 condominium associations is a part of GVCA, and as the alignment of rules, practices, and policies between GVCA and each of the condominium associations fosters and improves the community as a whole and is a benefit to the general welfare and administration of GVCA and its membership as a whole, that, in accordance with Declaration Article IV, Section 3, the GVCA rules pertaining to the permitted use of the GVCA swimming pools and other facilities be and are hereby amended as follows:

1. GVCA members must be current in the payment of their assessments and other fees owed to GVCA. If any GVCA member is past due in the payment of any assessment or other fee due to GVCA, as established by GVCA's collection policy, GVCA may suspend the rights of such owner and any guest or resident of the owner's home or unit to use all GVCA recreational facilities until the owner pays all such assessments and other fees in full.
2. The owner of the condominium unit within Greenwood Village that a person desiring to use the GVCA facilities resides in or is a guest of must be current in the payment of the owner's assessments and other fees due to both GVCA and the condominium association the owner belongs to. If a GVCA member is a condominium unit owner and such owner is 60 days or more past due in the payment of any assessment or other fee due to the owner's condominium association, GVCA may suspend the rights of the owner and any resident of the owner's unit to use all GVCA facilities for a period of 30 days, which 30 day period may be renewed for additional 30 day periods until the owner pays all such past due assessments and other fees to the owner's condominium association in full. The suspension of the right to use GVCA's facilities due to the past due payment of condominium association assessments or other fees is subject to the following:
 - a. The condominium association the owner is a member of must notify GVCA in writing using the form attached to this motion that the owner is at least 60 days past due in the payment of the owner's assessments or other fees due to the condominium association. The condominium association must mail a copy of such notice to the unit owner. Upon receipt of the condominium association's written notice, GVCA will send its own written notice to the owner specifying:
 - i. The date on which the owner's, and all residents and guests of the owner's unit, rights to use the GVCA facilities will be suspended, which date must be at least 3 business days after the date of GVCA's notice of suspension of rights to the owner;
 - ii. The reason for such suspension; and,
 - iii. A statement that the owner has a right to request a hearing before the GVCA Board to contest the reason for the suspension of rights, which request for hearing the owner must send to the GVCA manager by hand delivery or certified mail within 10 business days of the date of GVCA's notice of suspension of rights to the owner. If an owner requests a hearing within the specified time, GVCA will permit the owner to use GVCA's facilities until the date of the hearing.

- b. The suspension of the right to use GVCA's facilities due to the past due payment of condominium association assessments or other fees will continue until GVCA receives written notice from the condominium association that the owner has paid all past due assessments and other fees due to the condominium association in full or 30 days from the date the suspension of rights takes effect, whichever occurs first. If, however, the owner/member fails to pay all past due assessments and other fees due to the condominium association in full within such 30 day period, the condominium association may so notify GVCA and request another 30 day suspension of such owner's/member's rights in accordance with Section 2a above.
3. There is no limit to the number of times an owner's/member's rights to use the GVCA facilities may be suspended. The suspension of GVCA's members right to use and enjoy the GVCA facilities does not in any circumstance relieve or waive the member's obligation to pay all assessments and other fees owed to GVCA for any period of time.

The above rules on the use, including the suspension of such use, of the GVCA facilities are effective 30 days from the date of this motion.