

ASSOC OF UNIT OWNERS OF HIGHLANDS CONDOS
Resolution of the Board of Directors

EMAIL COMMUNICATION RESOLUTION

Background

1. The Assoc of Unit Owners of Highlands Condos (“Association”) is an Oregon non-profit corporation that oversees the operations of the Highlands Condominiums in Eugene, Oregon.
2. The Association is subject to the Oregon Condominium Act, ORS Chapter 100.
3. The Association is governed by the following documents:
 - 3.1. Condominium Declaration for Highlands Condominium, recorded as document number 9056082 in the official records of Lane County, Oregon, and any amendments thereto;
 - 3.2. Supplemental Condominium Declaration for Highlands Condominium Stage II, recorded as document number 9151705 in the official records of Lane County, Oregon;
 - 3.3. Supplemental Condominium Declaration for Highlands Condominium Stage III, recorded as document number 9244291 in the official records of Lane County, Oregon;
 - 3.4. Supplemental Condominium Declaration for Highlands Condominium Stage IV, recorded as document number 9328363 in the official records of Lane County, Oregon;
 - 3.5. Supplemental Condominium Declaration for Highlands Condominium Stage V, recorded as document number 9443791 in the official records of Lane County, Oregon (collectively, “Declaration”); and
 - 3.6. Bylaws of the Association of Unit Owners of Highlands Condominium, recorded as document number 9056083 in the official records of Lane County, Oregon (“Bylaws”).
4. Section 7.4 of the Bylaws permits the Board of Directors of the Association to adopt rules and regulations “governing the conduct of persons and the

operation and use of the units and common elements as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the Condominium property.”

5. ORS 100.530(6) states: “[i]f the board of directors determines that any loss or cost incurred by the association is the fault of one or more owners, the association may, after notice and an opportunity for a hearing before the board of directors, assess the amount of the loss or cost exclusively against the units of the responsible owners.”
6. The Board of Directors encourages comments, questions, and inquiries from members and residents of the Association. Often, members and residents utilize email to communicate with individual Directors. The Association also provides notices and other information to the membership via electronic means.
7. The Board recognizes that the use of electronic communications is efficient and inexpensive, and will continue to communicate with members and residents through the use of email.
8. The Board further recognizes that some members and residents may use email or other electronic means to harass, annoy, and otherwise interfere with the orderly operation of the Association.
9. Section 7.3(e) of the Bylaws states: “[n]o noxious, offensive, or unsightly conditions are permitted upon any portion of the property; nor may anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.”
10. The Board of Directors has determined that it is necessary for the protection of the members and Association to adopt further rules governing appropriate use of email to communicate with the Association.

Resolution

1. If the Board of Directors determines that a member or resident has engaged in a pattern or practice of using email or other electronic means to harass, annoy, or interfere with any Director, Officer, committee member, employee, volunteer or any other agent or representative of the Association, the Board may do any of the following, in no particular order:

- (a) Send written notice to the offending member or resident stating that further violations of this Resolution may result in the blocking of the member or resident's email address.
 - (b) Block the email address of the offending member or resident so that further electronic communications are not received by the Board, individual Directors, Officers, committee members, employees, volunteers or any other agent or representative of the Association. The offending member or resident may still engage in written communication with the Association through first-class mail via the United States Postal Service. The offending member or resident's emails shall remain blocked until any one of the following events occurs:
 - i. The offending member or resident delivers a written apology and commitment to using email to communicate with the Association in a professional and courteous manner;
 - ii. Twelve months pass from the date when the offending member or resident's email was blocked; or
 - iii. The Board votes unanimously to unblock the offending member or resident's email address.
 - (c) Notify the offending member or resident that all future communications to the Association must be directed to the attention of the Association's attorney or such communication will be ignored. If this provision is invoked, all legal costs incurred as a result of the member or resident's communications shall be assessed against the offending member or resident's lot. Any notice invoking this remedy shall include an opportunity for a hearing before the Board of Directors. The remedy described in this subsection shall remain in effect until the Association's legal counsel advises the Board that the offending member or resident has adopted a pattern of professional and courteous communications, such that the requirement for counsel's involvement is no longer reasonably necessary.
- 2. The remedies described in Section 1 of this Resolution are not exclusive of any other remedies available to the Board of Directors under the Association's governing documents or ORS 100.
 - 3. A copy of this Resolution will be distributed to each member of the Association.

President

Date

Secretary

Date