

Cedar Highlands HOA Policy and Procedure

Policy Number: No. 2025-001

Name: Cedar Highlands HOA: Consolidate Complaint Policy & Formal Complaint Form

Policy: CHHOA-2025-COMPLAINT-001

Date Adopted: 20, AUGUST 2025

Reviewed by: Board of Directors

Next Review Due: In 2 years or later

I. Objective

The Board of Directors wishes to consolidate existing policies for filing complaints to ensure a clear, consistent, and fair procedure for addressing violations of the Cedar Highlands HOA Governing Documents. **Existing policies referenced in this document are still considered effective, shall remain in force, and support this policy document.** Existing policies and associated Utah Codes include:

- CHHOA Policy No. 2021-1: Policies and Procedures
- HOA Fine Schedule 2022
- HOA Formal Complaint Form 2020
- State of Utah Codes Annotated:
 - § 57-8a-217,
 - § 57-8a-213,
 - and § 57-8a-218 (Utah Community Association Act)

This consolidated policy ensures that complaints are processed in a consistent, transparent, timely, and lawful manner, in accordance with Utah State law and HOA policies.

Policy:

This policy applies to all Lot Owners and residents under the jurisdiction of the Cedar Highlands Homeowners Association. It outlines procedures and requirement for submitting a formal complaint and the conditions under which enforcement actions may be initiated.

Procedure:

I. Who May File

Any Lot Owner or the HOA Board (by majority vote) may file a complaint. Two separate complaints from different Lot Owners within a 30-day period are required for the Board to initiate formal review, per the HOA Fine Schedule 2022.

II. Informal Resolution First

The Board encourages residents to resolve disputes informally with neighbors before filing a complaint.

III. Conditions for Filing

A complaint must:

1. Identify a specific violation of a CHHOA Governing Document (e.g., CC&Rs, Bylaws, Architectural Standards).
2. Include clear, dated descriptions and any supporting details (e.g., witness statements, vehicle info).

IV. Complaint Submission Requirements

1. Form: Submit using the official "Formal Complaint Form" included in Appendix A.
2. Minimum Details Required:
 - Complainant's contact information
 - Date and location of violation
 - Reference to governing document violated
 - Description of incident
3. Signature: Complaints **must** be signed and dated.
4. Supporting Material: May include photos, recordings, or written witness statements.

V. Complaint Review Process

1. Initial Review:
 - Board determines if the complaint is within its jurisdiction.
 - May send a Friendly Reminder to the alleged violator if warranted.
2. Formal Warning:
 - If the complaint is verified, a Written Warning is issued.
 - For continuing violations, compliance must occur within 48 hours to avoid fines, as outlined in the HOA Fine Schedule 2022.
3. Failure to Comply:
 - May result in fines under the HOA Fine Schedule 2022:
 - Initial Fine: \$25-\$500 depending on severity.

- Additional fines every 10 days until resolved.

4. Hearing & Appeal:

- The Owner may request a hearing within 30 days.
- Appeals to civil court may be filed within 100–180 days after the final Board decision.

VI. Confidentiality

All complaint records and identities of complainants shall be kept confidential to the extent permitted by law and policy. Complainants must agree to participate in proceedings as witnesses if legal or administrative actions are initiated.

VII. Complaint Form

In order for the Cedar Highlands Homeowner's Association to enforce the Governing Documents (Declaration of Covenants and Restrictions, Bylaws, Board Resolutions, Architectural Standards and Design Guidelines, and Rules and Regulations) the complainant's cooperation as a member of our community is required. The complainant agrees to assist the CHHOA board in any legal action as a witness to the complaint listed above. This may include but is not limited to Board Hearings, Depositions, and/or Civil Court Proceedings.

All complaints must be submitted using the official Cedar Highlands HOA Formal Complaint Form. Complaints will not be reviewed or considered if a formal complaint form is not submitted. A complete copy of the form is included in Appendix A of this document.

VIII. Amendment & Review

This policy may be amended by majority vote of the CHHOA Board with a 10-day public posting period prior to the vote, in compliance with CHHOA Policy No. 2021-1: Policies and Procedures.

IX. Severability

If any provision of this Agreement is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect, and the invalid, illegal, or unenforceable provision shall be deemed modified to the minimum extent necessary to make it enforceable.

Appendix A: Formal Complaint Form

CEDAR HIGHLANDS HOMEOWNER'S ASSOCIATION

FORMAL COMPLAINT FORM

Complainant Contact Information:

Name: _____ Phone # _____

Address: _____ Email: _____

Location of Violation: _____ Date of Violation: _____

Please Note: The HOA is limited to dealing with violations identified in the CC&R's and Bylaws. Other complaints may fall under the jurisdiction of the Iron County Sheriff's Office, Iron County Code Enforcement, the State, or a Federal Agency and should be reported to the appropriate authority.

What Governing Document or Policy is being violated? (Article, Section, Paragraph, etc.)

If known, list the names of parties involved, location, address, vehicle information, or any other descriptive detail: _____

Describe the Violation: (add additional pages if needed)

Agreement

In order for the Cedar Highlands Homeowner's Association to enforce our Governing Documents (Declaration of Covenants and Restrictions, Bylaws, Board Resolutions, Architectural Standards and Design Guidelines, and Rules and Regulations), your cooperation as a member of our community is required. By signing below, you agree to assist the CHHOA board in any legal action as a witness to the complaint listed above. This may include, but is not limited to: Board Hearings, Depositions, and/or Civil Court Proceedings.

Complainant Signature: _____

Date: _____

[FOR HOA BOARD USE ONLY]

Board Action Taken:
