

Policy Resolution – Certificate of Compliance

Within the The Master Declaration of Protective Covenants for River Valley Ranch, Article 4.17 (a)(b)(d) reads:

- (a) Upon the completion of any Improvements (excepting the related landscaping) for which plans and specifications have been approved by the Development Review Committee, the Owner shall submit to the Committee a written Application for a Certificate of Compliance, on a form to be provided by the committee, which Application shall certify that the Improvements have been completed in accordance with the approvals granted by the Committee and with the Master Development Guidelines. Until receipt of such Application, the Committee shall not be deemed to have any notice regarding completion of the Improvements.
- (b) Within twenty-one (21) days following receipt of the Application, the Development Review Committee or its duly authorized representative shall inspect the Improvements. If the Committee finds that the Improvements have not been completed in accordance with the approvals granted by the Committee and/or with the Master Development Guidelines, it shall notify the Lot or Unit Owner in writing of such noncompliance within said twenty-one (21) day period, specifying the particulars of noncompliance and shall request the owner to remedy the same.
- (d) When the Development Review Committee is satisfied that the Improvements have been completed in accordance with the approvals granted by the Committee and with the Master Development guidelines, it shall issue to the Owner a Certificate of Compliance with respect to said Improvements. No newly-constructed residence on a Lot shall be occupied until a Certificate of Compliance has been issued therefore and a Certificate of Occupancy as required by the Town of Carbondale has been issued therefor.

Proposed:

Whereas, the Executive Board of the River Valley Ranch Master Association, here and after referred to as RVRMA, is empowered to adopt Master Rules and Regulations of the Homeowner Association pursuant to Article 9.9 of the Master Declaration of Protected Covenants for River Valley Ranch.

Whereas, Article 4.17 (a-d) is silent on the ability to issue a Certificate of Completion and return an Owner's Damage and Performance Deposit when inspection of Improvements cannot be made due to unfavorable climatic conditions.

Whereas, it is the intent that this rule shall be applicable to all owners, who are performing Improvements to a Lot or Unit and this resolution shall remain in effect until otherwise rescinded, modified, or amended by a majority of the Executive Board.

Now, therefore be it resolved that the following Policy Resolution to Article 4.17 (a-d) Certificate of Compliance is hereby adopted by the Executive Board:

In the event an Owner makes application for a Certificate of Compliance and is subsequently denied and provide a written letter of non-compliance issues; and, in the opinion of the Design Review Committee or Executive Director, a full inspection cannot be verified due to climatic conditions; or, a determination of damage to an underground utility cannot be verified due to climatic conditions until system can be activated, the Design Review Committee shall have the authority to retain a portion of the Damage and Performance deposit as deemed appropriate by the Committee until improvements or damage assessments can be completed.

The expense of the initial and follow up Compliance inspections shall be borne by the Master Association. All subsequent inspections will be paid for by lot owner. Fees charged will be reimbursed to River Valley Ranch Master Association (RVRMA) via deduction from the Lot Owners Damage and Performance Deposit.