



Oceanside Estates Homeowners Association Complaint Procedures

Complaints must be submitted in writing to the HOA Board. The Board handles complaints concerning alleged violations of the CC&Rs, Bylaws, and Rules and Regulations of the HOA. The Association cannot govern outside its scope of authority, and it cannot enforce a rule that does not exist in its governing documents. The Board must have authority under the governing documents to act on the specific allegation or dispute. The Board has authority to exercise discretion when enforcing rules. The Design Review Committee may grant waivers and variances where such variance provides for the best utilization of the lot. When a variance or waiver has been granted, non-compliance does not constitute a violation.

Not every neighbor-to-neighbor dispute falls within the purview of the HOA, and the Board will not get involved in every squirmish between neighbors. The Board encourages everyone to try to resolve their differences in a neighborly, calm, and civil manner. HOA members (or renters or guests of HOA members) should call the police to report unlawful activity, or if their personal safety is at risk (e.g. others trespassing on their property, disorderly conduct, violence or threats of violence, damage to property, etc.).

HOA members (or renters) who wish to submit a complaint about an alleged violation of the CC&Rs, Bylaw, or Rules and Regulations of the HOA, must e-mail the complaint and corroborating evidence to the Board in writing to brookingshoa@gmail.com or mail it to:

Oceanside Estates Homeowners Association

96434 Oceanside East Drive
Brookings, OR 97415

The complaint must include the following information:

- **Complainant information:** The complainant's name and address (physical address of the complainant's lot and the complainant's mailing address if different from the physical address). The HOA does not accept anonymous complaints.
- **Respondent information:** The physical address of the individual you allege to have violated the CC&Rs, Bylaws, or the Rules and Regulations of the HOA, and whether the individual is a lot owner, renter, or a guest of an owner.
- **Alleged violation:**
 - The specific provision or provisions of the CC&Rs or Bylaws that you allege that the individual has violated (please be as specific as possible and try to include specific article/section numbers). If you do not have a copy of the CC&Rs and Bylaws, you can access them online at: <https://www.oceanside-estates.org/> (please note that the CC&Rs have several amendments).
 - If the complaint is for hostile environment harassment, based on a protected class, that is sufficiently severe or pervasive, include the protected class based on which you allege the harassment is happening (race, color, national origin, religion, sex, family status, and handicap); include any evidence that corroborates that the individual threatened, intimidated, or interfered with the enjoyment of your

dwelling because of your (or your associates' or visitors') race, color, national origin, sex, familiar status, or handicap.

- **Factual details:** Describe the factual basis of your complaint: who did what, when (dates), where.
- **Corroborating evidence:** Attach supporting documentation (evidence corroborating the alleged violation) that you have (e.g. documents, photos, security camera footage, communications that contain admissions, police reports, etc.).
- **Witnesses:** Names and contact information of any witnesses who saw the individual commit the alleged violation or have personal knowledge of the violation.
- **Signature and date:** Sign and date the complaint: either sign the complaint electronically (type your name at the bottom of the complaint) or by hand if you are mailing a hard copy complaint.

Individuals against whom a complaint is filed (respondents) will be notified of the allegations against them, be provided an opportunity to be heard and a reasonable opportunity to defend against the allegations (including an opportunity to submit a response in writing along with any evidence refuting the allegations). If the respondent submits a counter-complaint in writing, the counter-complaint must include the above information and will be handled in similar fashion to the original complaint.

The Board considers whether the alleged violations of the CC&Rs, Bylaws, Rules and Regulations of the HOA included in the complaint are corroborated by credible evidence or other witnesses, or the only evidence is one neighbor's word against another's. Before the Board can impose penalties against a member for violation of the CC&Rs, the Bylaws, or the Rules and Regulations of the HOA, the Board must have persuasive evidence of the violation.



Edit Szanto, Secretary

05/13/2021

Date Adopted