

SUNCADIA RESIDENTIAL OWNERS ASSOCIATION
RESOLUTION 121
Towing Resolution and Policy

WHEREAS, pursuant to RCW 64.38.020(1) and Sections 7.26 and 9.6.4 of the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Suncadia Residential Areas, Recorded in Kittitas County at Recording No. 200407200037, the Suncadia Residential Owners Association may adopt Policies and Procedures governing the conduct of people and the operation of Units and Common Areas as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the Residential Areas;

WHEREAS, Section 7.6 of the Declaration and Association Policies and Procedures and Fines Resolution 111c including Exhibits A, B and C of Resolution 111c. These Association Policies and Procedures include restrictions regarding vehicles in the Residential Areas;

WHEREAS, pursuant to Section 7.7 of the Declaration, vehicles parked on any portion of the streets within the Residential Areas are permitted only as set forth in the Association Policies and Procedures;

WHEREAS, the Association may enforce the terms of the Declaration and Policies and Procedures pursuant to Section 9.6.7 of the Declaration;

WHEREAS, pursuant to Section 9.7 of the Declaration, with exceptions not pertinent here, the Board of Directors acts on behalf of the Association;

WHEREAS, pursuant to Section 12.1(c) of the Declaration, the Association has authority to “[c]ause any vehicle parked in violation of th[e] Declaration or the Policies and Procedures to be towed and impounded at the Owners’ expense”;

WHEREAS, Section 3.23(d) of the Amended and Restated Bylaws, the Association may tow vehicles that are in violation of parking rules;

WHEREAS, the Board, acting on behalf of the Association, desires to adopt a Towing Policy to set forth the procedures that will be followed when a vehicle is towed from the Suncadia Residential Areas by the Association;

NOW, THEREFORE, BE IT RESOLVED THAT, following a majority vote of the Board, the Association hereby adopts the Towing Policy attached hereto as Exhibit A. This Policy will take effect upon distribution in hard copy to each Owner at the most recent address on file.

BE IT FURTHER RESOLVED THAT this Towing Policy replaces and supersedes any previously existing policies, rules, and procedures regarding towing of vehicles in the Suncadia Residential Areas.

DATED THIS 24th day of January, 2020

SUNCADIA RESIDENTIAL OWNERS ASSOCIATION

By: _____
Its President
Printed Name: _____

ATTEST: This Resolution was properly adopted.

By: _____
Its Secretary

Printed Name: _____

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EXHIBIT A
SUNCADIA RESIDENTIAL OWNERS ASSOCIATION
TOWING POLICY

1. In the event of a violation of the Governing Documents (including, without limitation, the Declaration and Policies and Procedures) concerning vehicle parking, the Association will observe the following procedure when towing a vehicle:
 - A. The Association shall place a Notice of Parking Violation on the windshield of the vehicle in question. If the address of the vehicle owner or Unit Owner with whom the vehicle is question is associated is known, the Association shall also mail or personally deliver a copy of the Notice to the known address(es).
 - B. The Notice shall state:
 - 1) The citation(s) to the violated Governing Document provision(s);
 - 2) The manner in which one or more of those provisions were violated (including date(s), time(s), and location(s), and duration if available);
 - 3) The proposed sanction(s) to be imposed (typically, issuance of a fine and/or towing);
 - 4) A statement that the alleged violator may present a written request for a hearing to the Board within 10 days of the Notice; and
 - 5) A statement that the proposed sanction may be imposed as stated in the Notice unless a request for a hearing is received within 10 days of the Notice.
 - 6) A statement of what the vehicle owner must do to remedy the violation and the deadline for remediation. (Typically, to move the vehicle within a stated time.)
 - 7) A statement that, if the violation continues or is repeated: a) the vehicle may be towed at any time after 15 days after the Notice if a hearing is not timely requested, or b) at any time after 15 days and after the hearing if a hearing is timely requested.
 - C. If a hearing is requested, the hearing procedures set forth in the Association's Resolution Regarding "Violation Procedures and Fines" shall be observed, including the requirement of a written post-hearing decision. An appeal or letter of compliance may be provided, but only in the Board's discretion.
 - D. The Association may but is not required to send additional correspondence to the vehicle owner or Unit owner associated with the vehicle.
 - E. The Association may enter into a towing authorization agreement with a towing company for removal of improperly parked vehicles. The Association may provide the name,

address and phone number of the towing company on the Notice of Parking Violation if available.

- F. If the violation involves a vehicle being parked in a manner that blocks ingress or egress, or is parked in a fire lane, Kittitas County Law Enforcement has the option to remove vehicles immediately, per RCW 46.55.113(2)(h).
- G. The vehicle owner is responsible for retrieval of the vehicles and the cost of towing, retrieval, and any other associated expenses, including reasonable attorneys' fees incurred by the Association.
- H. Entry onto a Unit for the purpose of removing an improperly parked vehicle shall not be deemed a trespass.

Adopted by majority vote of the Board on January 24, 2020.