

ASSOCIATION OF UNIT OWNERS OF FLANDERS LOFTS, A CONDOMINIUM

Resolution of the Board of Directors

“Use of Condominium Property”

Adopted: May 2022

RECITALS

- A. **“Association”** is the *“Association of Unit Owners of Flanders Lofts, a Condominium,”* which is also an Oregon nonprofit corporation.
- B. The Association is governed by the following documents, recorded in the records of Multnomah County, Oregon, referred to herein as **“Governing Documents”**:
 - 1. *Declaration Submitting Flanders Lofts, A Condominium to Condominium Ownership*, recorded on August 15, 1997 as document number 97123846, including any amendments thereto (the **“Declaration”**);
 - 2. *Bylaws of the Association of Unit Owners of Flanders Lofts, a Condominium*, recorded as Exhibit C to the Declaration with the same document number; along with the First Amendment to the Bylaws of the Association, recorded on March 16, 2005; and the Second Amendment to the Bylaws of the Association, recorded on February 11, 2013, collectively shall be referred to herein as the **“Bylaws.”**
- C. The Association is also governed by the Oregon Condominium Act, ORS Chapter 100.
- D. ORS 100.405(3), Article 14.3 of the Declaration, and Article 3.7 of the Bylaws vest the Board of Directors of the Association (the **“Board”**) with all of the powers and duties necessary for the administration of the affairs of the Association.
- E. ORS 100.405(3) and Article 7.5(1) of the Bylaws empower the Board to adopt Rules and Regulations.
- F. ORS 100.450(5) and Article 5.6 of the Bylaws provide that fees, late charges, fines, and interest imposed by the Association are enforceable as Assessments.
- X. The Board had previously adopted *“Resolution No. 3”* in November 1999, amended in July 2004, with respect to use of Condominium property (the **“Previous Resolution.”**)
- X. Article 7.5 of the Association Bylaws prescribe the restrictions and requirements respecting the use of Condominium property
- X. For the benefit and protection of the Association, individual Unit Owners, their property, and property value, and in keeping with the residential character of the Condominium, the Board deems it necessary and desirable to establish clear expectations and guidelines for the appropriate use of Condominium property by all persons.

RESOLUTION

NOW, THEREFORE, it is Resolved that the Board shall adopt the rules set forth below with respect to use of Condominium property by all persons, and that the the Previous Resolution shall be replaced in its entirety with this policy, which is added to the Rules & Regulations of the Association.

- 1. Noxious or offensive activities.** No noxious or offensive activities shall be carried on in any unit nor shall anything be done in or placed upon any unit which interferes with or jeopardizes the enjoyment of other units or the common elements or which is a source of annoyance to residents. [Article 7.5(c) of the Bylaws]
- 2. Noise; Quiet hours.** Unit occupants shall exercise extreme care not to make noises which may disturb other unit occupants, including the use of musical instruments, radios, televisions and amplifiers. [Article 7.5(c) of the Bylaws, Article 10.1 Declaration.] No excessive noise is allowed in the City of Portland, by ordinance, between the hours of 10:00 p.m. and 7:00 a.m. and nighttime noise should not exceed 40 decibels outside boundaries of a Unit during those hours.
- 3. Events or parties.** Owners and tenants who host any event or party shall heed special attention to the level of amplified music and shall be responsible to keep sound to a reasonable level at all times. Care should be taken to discourage and prevent activity that creates a nuisance or disturbance for other unit occupants including unnecessary noise and visitor traffic in General Common Elements. Any trash or debris caused by the event on any Common Element shall be cleared promptly.
- 4. Building doors and security.** The Condominium building is to remain secure at all times, with doors locked and access restricted always. No owner, guest, resident, agent, or service provider shall jam, prop open, or otherwise cause to remain open any door, including all building entrances and garage doors, at any time. Owners, drivers, tenants, guests, or any person who causes the overhead garage door to open must remain at the garage entrance and monitor the entrance until the overhead garage door is completely closed.
- 5. Use of Common Elements; Obstruction.** Building common areas including the lobby, hallways, stairways, garage, driveway, and elevator shall be left free for the equal enjoyment of all owners and occupants and shall remain unobstructed at all times. No personal property, including construction materials, debris, or waste/recycling, may be stored or staged on a Common Element in a manner that interferes with access by other owners or residents to and from any floor or access to any unit. Access to the lobby of the building must not be obstructed at any time. Unit Owners are instructed to exercise due care with Association property and all Common Elements. Any costs for repair, trash or property removal, cleaning, or other remediation for damage caused by improper or careless use, will be assessed against the Unit Owner.
- 6. Elevator.** When used for carriage of appliances, furniture, or any large objects that may scratch or damage the elevator surfaces, the building elevator must be protected with moving pads on the walls and fitted with floor protection. No items in excess of the posted weight limit may be

transported in the elevator. The elevator must not be held or propped open at any time for any duration, and should be placed into or out of service with the proper keys as required.

- 7. Garage; Parking.** Residents, their guests, agents or vendors must park all vehicles in accordance with all city regulations, parking signs, street and curb markings, and the Association parking rules. No vehicle may remain parked in the Condominium parking garage in a way as to obstruct access or free passage into or out of the garage.
- 8. Exterior Appearance; Signs.** Items in, on, or attached to those areas of windows, balconies, or outside walls, which are visible from the street or from other units are subject to Board approval. Garments, rugs, laundry, and other similar items may not be hung from windows, facade, balconies, or decks. [Article 7.5(f) of the Bylaws.] No signs may be attached to the outside of the building or displayed to public view. [Article 7.5(h) of the Bylaws]
- 9. Animals.** Permitted household pets may not run at large and all dogs must be carried or kept on a leash when outside of a unit. Any inconvenience, damage or unpleasantness caused by such pets shall be the responsibility of the respective owners thereof, and owners shall be responsible for removal of wastes of their animals. No pet shall be permitted to cause or create a nuisance or unreasonable disturbance or noise. [Article 7.5(d) of the Bylaws]
- 10. Owner Cooperation.** Unit owners that rent or lease a unit shall cooperate directly with the Board and Manager in resolving complaints or concerns with respect to such tenants or leaseholders who may be in violation of this policy or any provisions of the Governing Documents or the Rules & Regulations of the Association.
- 11. Fines.** The Board of Directors may assess fines against a Unit Owner for violations of this Resolution in accordance with the Association's current Schedule of Fines as described within the Enforcement Resolution. The Unit Owner shall be held responsible for violations by any guest, tenant, contractor, vendor, or service provider of any portion of the Governing Documents or Rules & Regulations.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to each Unit Owner at the address or e-mail address shown in the records of the Association, and also included in the collection of governing documents maintained and made available by the Manager. This Resolution shall be binding on each and every Unit Owner and all occupants as of the date of delivery of this Resolution to Unit Owners.

ATTESTED:

DocuSigned by:
Brian Emerson
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Chairperson, Board of Directors,
AUO of Flanders Lofts, A Condominium

DocuSigned by:
Swirly Grisanti
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Secretary, Board of Directors,
AUO of Flanders Lofts, A Condominium

5/26/2022

DATED : May _____, 2022