

National Manufactured Home Owners' Association



Technical Assistance Guide for Manufactured Home Owners

**NATIONAL MANUFACTURED HOME OWNERS' ASSOCIATION
TECHNICAL ASSISTANCE GUIDE FOR MANUFACTURED HOME OWNERS**

TABLE OF CONTENTS

SECTION 1 – INTRODUCTION/OVERVIEW

1.1	About NMHOA	3
1.2	Introduction	3

SECTION 2 – STATE LAWS AND FEDERAL FREEDOMS

2.1	State Laws	3
2.2	Fundamental Freedoms	3
2.3	Preservation State Policy Overview	6
2.4	Fair Housing Act	6

SECTION 3 – HOME OWNERS' ASSOCIATIONS

3.1	Overview	6
3.2	A Guide for Forming a Homeowners' Association	6
3.3	Sample Bylaws in English and Spanish	6
	3.4 How to Run an Effective Board ...	7
3.5	Making Your Committees Work	7
3.6	Robert's Rules of Order	7

SECTION 4 – PRESERVATION OF MANUFACTURED HOME COMMUNITIES

4.1	Resident Owned Communities	9
4.2	Housing Authority Owned Communities	9
4.3	Community Land Trust Communities	10
4.4	Non-profit Affordable Housing Agencies	10

APPENDIX –

	Sample HOA Bylaws in English	10
	Sample HOA Bylaws in Spanish	19

SECTION 1 – ABOUT NMHOA/ INTRODUCTION

1.1 About NMHOA

We are a nationwide membership organization representing, advocating for, and working with manufactured home owners.

NMHOA was formed by and for manufactured home owners in 2001 since the original incorporators recognized that together they could accomplish more and become the strong united voice for owners of manufactured homes that was so sadly lacking from the national debate.

1.2 Introduction

Over 17,000 million people living in manufactured homes and 2.9 million home owners and their families live on leased land in manufactured housing communities all across the United States. Manufactured housing is the last form of unsubsidized housing left in the country. Unfortunately there is an imbalance of power and a significant lack of equal bargaining opportunity between manufactured home owners and land owners.

We have put together invaluable information and resources to help you navigate this disparity.

SECTION 2 – STATE LAWS AND FEDERAL FREEDOMS

2.1 State Laws

Most states have laws that govern the relationship between manufactured home owners and community owners. To find the laws that apply in your state do an internet search for Mobile or Manufactured Homeowners landlord tenant act.

However, 14 states have no such laws protecting manufactured home owners residing in land lease communities, and many of the legal protections in other states are weak, not enforced, or otherwise of little value to home owners.

2.2 Fundamental Freedoms (Information provided by I'm Home [CFED] and the National Consumer Law Center)

Manufactured homes represent a pathway to affordable homeownership for millions of Americans, but their ability to be an investment or wealth-building vehicle remains tenuous in many states. Whether a manufactured home is a real asset for a family depends in large part on land tenure security. In some states, if the home is located on rented ground – in a manufactured home community (or “mobile home park”), for example – the homeowner can be evicted from the community at the community

owner's whim. The precarious status of a manufactured home on rented land can turn it into a financial disaster instead of an asset. Manufactured home community sites are scarce in many areas, so a homeowner who is evicted from the community may not be able to find a new site for the home. Even if sites are available, the home may be too old to meet minimum requirements of a new community or may be damaged in transit, which could force the homeowner to abandon it altogether. Resident ownership of communities is one of the most effective strategies for helping low-income homeowners build assets. Land tenure security is essential if residents of manufactured home communities are to have the opportunity to buy their communities. In order to pursue resident ownership, residents must be free to meet, to go door-to-door within the community, to form homeowner associations and to advocate for policies that promote resident ownership, without fearing eviction or other retaliation for these activities.

WHAT STATES CAN DO The rules governing manufactured housing communities – leases, the rights of community owners and homeowners, eviction law, remedies – are the prerogative of the states. States can protect the residents' freedom of association and freedom of speech, prohibit retaliation, require good cause for eviction and prohibit arbitrary restrictions on the homeowner's sale of the home.

ELEMENTS OF A STRONG POLICY Four key policies are needed to give residents stable land tenure and ensure that they can form resident associations and advocate for resident purchase opportunities, including:

- Freedom of Association and Freedom of Speech
- Freedom from Retaliation
- Freedom from Eviction without Good Cause
- Protection of the Right to Sell the Home in Place

It is a common saying that a right without a remedy is no right at all. To be effective, any law protecting these rights should carry meaningful penalties and be enforceable by affected residents.

Freedom of Association and Freedom of Speech. States seeking to promote resident ownership should guarantee residents the right to form, operate and participate in resident associations. Strong policies prohibit harassment, interference and other unfair tactics toward resident associations and require the community owner to make community facilities available for resident meetings on the same basis as other events. Strong policies also allow residents and others to distribute leaflet or canvass peacefully

in the community, subject to reasonable rules as to time, place and manner. Protecting Fundamental Freedoms in Communities

MANUFACTURED HOUSING POLICY BRIEF

Freedom from Retaliation. States seeking to promote resident ownership should prohibit retaliation – whether by way of eviction, rent increases, reduction of services or selective enforcement of rules – against residents for exercising the right to join a resident association, making complaints about conditions in the community, engaging in political activity or exercising other similar rights. Because a community owner’s intent is always hard to prove, a strong law should create a presumption that, in the absence of evidence to the contrary, an eviction filed within a certain period of time, such as six months, after the resident exercised one of the protected rights is in retaliation for the exercise of that right.

Freedom from Eviction without Good Cause. States seeking to promote resident ownership should prohibit termination or nonrenewal of the lease except for good cause such as nonpayment of rent, rule violations, disorderly conduct, or criminal activity. A strong policy should require the community owner to give the resident fair notice of the problem and, where appropriate, an opportunity to correct it. There should be a special, longer notice period if the community is being closed because of a change in use of the land. A strong policy should state that eviction is allowed only by a court procedure. It is also helpful if the law requires the community owner to offer a lease of at least a certain length, such as two years, and to renew the lease unless there is good cause.

Protection of the Right to Sell the Home in Place. An asset that cannot be sold is not an asset. If the community owner can arbitrarily deny a potential buyer of a resident’s home the right to keep the home in the community, it will be very difficult for the resident to sell the home. States seeking to promote asset building for low-income homeowners should prohibit community owners from interfering with residents who are trying to sell their homes and should prohibit arbitrary denial of a potential buyer’s right to keep the home in the community.

WHAT STATES HAVE DONE Eighteen states have laws or regulations that specifically protect the right of manufactured home community residents to form resident associations. Many of these laws also specifically protect the right to canvass and pass out leaflets within the community, invite public officials or other speakers to address the group and use community facilities for meetings. Twenty-eight states have laws that prohibit retaliation against manufactured housing community residents because of involvement with a resident association. In addition, 10 states have provisions in their general landlord-tenant laws, probably applicable to manufactured housing community

residents that prohibit retaliation because of involvement with a resident association. Four additional states have general landlord-tenant statutes that prohibit retaliation, but only for complaining about conditions. In the remaining states there appear to be no statutory protections against retaliation that apply either to manufactured home community residents or to tenants in general. Even in the states that have anti-retaliation laws, the laws vary in their strength and comprehensiveness. Thirty-three states have some statutory provision regarding grounds for eviction of a resident from a manufactured housing community. Some are full-fledged good cause statutes, prohibiting the community owner from terminating the lease or refusing to renew it except for good cause such as failure to pay rent or violation of community rules. Many, however, have significant loopholes. For example, some good cause statutes cover termination of a lease, but do not address nonrenewal. Thirty states have some statutory provision prohibiting community owners from arbitrarily denying a resident the right to sell the home on-site.

This information has been provided by the National Consumer Law Center and CFED for more information use this [link](#) for NCLC or [link](#) for CFED.

2.3 Preservation State Policy Overview

Using the link below, you can find a brief overview of the state preservation policy for many states. This information was compiled by the National Consumer Law Center. Many states have no protections; you can see the complete map using [this link](#).

2.4 Fair Housing Act

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

For more information on fair housing please visit [this link](#).

SECTION 3 – HOME OWNERS’ ASSOCIATIONS

3.1 Overview

Many homeowners living in manufactured housing communities find it is much more effective to deal with issues if you are not acting alone. An effective way to work together with your neighbors is to form a homeowners’ association.

A homeowners' association can start out as an ad hoc group or you can be more formal and incorporate your association with your secretary of state. Most groups find it an advantage to be incorporated from the beginning as it validates the group. Many policy makers take you more seriously when you can say you are officially representing the homeowners in your community.

If your group chooses to incorporate just do an internet search on your Secretaries of State website for incorporating as a nonprofit organization. In most states it is a very simple and inexpensive process.

3.2 A Guide for Forming a Homeowners' Association

Please use this link to access the guide [Link](#)

3.3 Sample Bylaws in English and Spanish

See Appendix starting on P. 10 (English) and P.19 (Spanish)

3.4 How to Run an Effective Board

Please use this [link](#) to access How to Run an Effective Board.

3.5 Making Your Committees Work

Please use this [link](#) to access Making Your Committees Work.

3.6 Robert's Rules of Order

- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- Point of Privilege: Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- Parliamentary Inquiry: Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- Point of Information: Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- Orders of the Day (Agenda): A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- Point of Order: Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- Main Motion: Brings new business (the next item on the agenda) before the assembly
- Divide the Question: Divides a motion into two or more separate motions (must be able to stand on their own)

- Consider by Paragraph: Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble cannot be considered until debate on the body of the paper has ceased.
- Amend: Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- Withdraw/Modify Motion: Applies only after question is stated; mover can accept an amendment without obtaining the floor
- Commit /Refer/Recommit to Committee: State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- Extend Debate: Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- Limit Debate: Closing debate at a certain time, or limiting to a certain period of time
- Postpone to a Certain Time: State the time the motion or agenda item will be resumed
- Object to Consideration: Objection must be stated before discussion or another motion is stated
- Lay on the Table: Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- Take from the Table: Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- Reconsider: Can be made only by one on the prevailing side who has changed position or view
- Postpone Indefinitely: Kills the question/resolution for this session - exception: the motion to reconsider can be made this session
- Previous Question: Closes debate if successful - may be moved to "Close Debate" if preferred
- Informal Consideration: Move that the assembly go into "Committee of the Whole" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- Appeal Decision of the Chair: Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- Suspend the Rules: Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

This information was provided by the Roberts Rules of Order website

For more detailed information use this [link](#)

SECTION 4 – PRESERVATION OF MANUFACTURED HOME COMMUNITIES

One of the best things homeowners can do to ensure long-term security of tenure and fair rents is to preserve their manufactured housing community. There are various ways in which this can happen and one model may work better than another in your particular community. Here are some available options:

4.1 Resident Owned Communities

Resident owned communities (ROCs) are becoming a popular preservation option for many manufactured homeowners. The beauty of a ROC is that the homeowners collectively own the land, get to determine the rent structure, the rules, and the operations of the community and may make a reasonable return on their investment should they choose to sell their home. However, just as the idea of determining rent amounts and one's own rules can be appealing, this can also be frightening for some people who do not want to take on that level of responsibility. Overall though, ROCs are being considered by more and more homeowners' associations and you can always contract out some of the services if the homeowners do not want to be fully responsible for the operations of their community.

For more information on Resident Owned Communities please use this [link](#)

4.2 Housing Authority owned communities

Housing Authorities (HAs) are quasi-governmental agencies set up to provide affordable housing for low income families and seniors. HAs administer a variety of programs including Section 8. However, in several states HAs have purchased and preserved at-risk manufactured housing communities, thus ensuring long-term security of tenure and fair rents for the homeowners who reside there. HAs are fortunate in that there are a variety of funding sources at their disposal that allows them to act reasonably quickly to secure an at-risk community before it is sold for redevelopment.

Contact your local Housing Authority to enquire about using this option to preserve a community.

4.3 Community Land Trusts

Community Land Trusts (CLTs) are an ideal model for manufactured housing community preservation. CLTs own the land and have stewardship over it, while the homeowners are responsible for the maintenance and upkeep of their homes. CLTs were established to protect land and long-term housing affordability. Under a CLT model, homeowners continue to own their homes and pay pad rent, with rents remaining affordable. If the homeowner chooses to sell the home, the CLT establishes a formula so that the homeowner gets some profit but also ensures that the next owner of the home is also income eligible so that the housing remains available to low income families on an on-going basis.

For more information and to find a local community land trust organization use this [link](#)

4.4 Non-profit Affordable Housing Agencies

Most cities and counties will have at least one non-profit affordable housing agency. These agencies often build new affordable housing for low income families, seniors, and people with disabilities. However, they may want to expand their portfolio and include the preservation of at-risk manufactured housing communities in their mix. It is a good idea to find out who the local non-profit affordable housing agencies are and encourage them to visit your community so that they can a sense of what might be possible. Like housing authorities and community land trusts, non-profit affordable housing agencies are often able to access local, state, and federal housing dollars for acquisition, upgrades, and operating expenses. In addition, if government money is involved this usually requires the non-profit to preserve the community as affordable housing for at least 40 years and to keep rents affordable (often no more than 30% of a family's income).

APPENDIX

Sample Bylaws (English)

Bylaws of Vista Village Homeowners' Association

Article 1: Name

The name of the organization shall be Vista Village Homeowners' Association, hereinafter referred to as The Association or VV HOA. It is a non-profit organization incorporated under the laws of the state of Colorado.

Article 2: Goals and Purposes

The goals and purposes for which this organization is formed are:

2.1 To create a safe environment by actively working together to build a sense of community, cooperation and respect through mutual support. A commitment to inclusivity and diversity shall be a guiding principle of this organization.

2.2 To provide education, resources, and community advocacy which assist Vista Village homeowners in knowing and protecting their rights as homeowners in handling pertinent and relevant issues.

2.3 To develop a supportive network for Vista Village homeowners.

Article 3: Membership

3.1 Classes of Members

The Association shall have two (2) classes of members: voting and nonvoting. One (1) resident of each home shall be the voting member. Voting members must be current on membership dues for the year. Any and all other residents of that home unit over the age of 18, shall be nonvoting members. Nonvoting members may share ideas and opinions, but may not vote.

3.2 Qualifications for Members

To qualify a household for membership, there shall be at least one (1) resident who is listed on the lease, is over the age of 18, and who lives in Vista Village. Members cannot be in the employ of the Park, or be a spouse/partner or relative of such, even if they own a home and reside in the community. Members shall support the mission and vision of The Association and act accordingly at all times.

3.3 Membership Dues

Membership dues shall be \$10.00 per year per household. Membership dues shall be used to offset the operating expenses incurred such as office supplies, photocopies, flyers, and meeting space fees. Membership fees have been kept low so all can afford; however if anyone should wish to donate more, it would be welcome and greatly appreciated.

3.4 Voting Rights

Membership dues shall entitle each household one (1) vote for each issue in The Association's matters.

3.5 Annual Meeting

The Annual Meeting of the members shall be held in the month of January at a time set by the Board for the purpose of electing Directors and transacting other business. If the Annual Meeting is not held on the date designated, the Board shall cause the meeting to be held as soon thereafter as may be convenient. Due to the fact that The Association represents a family community and wants everyone to be able to participate, underage children shall not be banned from the meeting, however, it shall be requested that they be respectful, quiet, and non-disruptive at the meeting.

3.6 Special Meetings

The President or no fewer than three (3) of the voting members may call special meetings of the members for any purpose.

3.7 Place of Meetings

All meetings of members shall be held in a place within the city or county of Boulder, Colorado, as designated by the President or the Board.

3.8 Notice of Meetings

The President, the Secretary, or the Board shall cause to be delivered to each member entitled to notice of meetings or to vote at the meeting, a notice, stating the place, date and time of the meeting(s), and, in the case of a special meeting, the purpose(s) for which the meeting is called. Notification will be posted in a prominent, central location, and sent by email or made by phone. At any time, upon the written request of no fewer than ten (10) of the members entitled to vote at the meeting, it shall be the duty of the Secretary to give notice of a special meeting of members to be held at such date, time, and place as the Secretary may fix, not less than five (5) days after receipt of such written request, unless two-thirds (2/3) of the members state through petition that they can meet at an earlier date. If the Secretary shall neglect or refuse to issue such notice, the person or persons making the request may do so and may fix the date, time, and place for such meeting.

3.9 Quorum for Membership

A membership "quorum" is defined as "the minimum number of members present required to hold a vote." Twenty-five percent (25%) of the voting members of The Association shall constitute a quorum at a meeting of the members. All matters shall be decided by a vote of the majority of the members present. If less than a quorum (25% of voting members) is present at a meeting, the meeting will be rescheduled. For example: If there are 100 members, at least 25 must be present in order to hold a vote. If there are fewer than 25, the meeting will be rescheduled.

3.10 Manner of Acting

The vote of a majority of the votes (51%) entitled to be cast by the voting members presented in person or by proxy shall be necessary for the adoption of any matter voted upon by the members. For example: If 25 members vote, 13 are required as the majority.

3.11 Proxy and Absentee Votes

A voting member may vote by proxy executed in writing by the voting member (or by their attorney-in-fact). Such proxy shall be filed with the Secretary of the Association before or at the time of the meeting. A proxy shall become invalid eleven (11) months after its execution unless otherwise provided for in the proxy. If a proxy vote is used with respect to a specific meeting, the proxy shall entitle the holder, therefore, to vote at any reconvened meeting following

adjournment of such meeting; however, the entitlement of said proxy shall be revoked after final adjournment thereof. A voting member may request an absentee ballot from the Secretary, and complete and return it prior to the scheduled vote date. Absentee votes are counted in determining a quorum.

Article 4: Board of Directors and Executive Officers

4.1 Powers

This organization will be supported by a Board of Directors (the Board) as the governing foundation for Vista Village homeowners. The activities, affairs, and property of The Association shall be managed, directed, controlled, and its powers exercised by and vested in the Board.

4.2 Number, Term, and Election

The number of Directors, including the Executive Officers (President, Vice President, Secretary, Treasurer), shall be five to nine (5-9), depending on the size of general membership and to insure adequate representation of members. Directors will serve for a term of two (2) years or until their successors are elected, whichever is later. No person may serve on the Board for more than three (3) consecutive two-year terms, a total of six (6) consecutive years. After a one-year absence, they may again serve on the Board. Unless an Officer resigns, dies, or is removed prior thereto, he or she shall hold office until his or her successor has been chosen and qualified.

4.3 Resignation

Any Director or Executive Officer may resign at any time by delivering a written resignation to the Board.

4.4 Removal

Any Director or Executive Officer may be removed with cause at any time by the affirmative vote of a majority of the Directors at a duly-held meeting of the Board, the notice of which shall have specified the proposed removal. A Director shall be automatically removed from the Board upon three (3) consecutive unexcused absences from regular Board meetings.

Membership can petition the Board for removal of any Board member with 2/3 of the voting members having signed a petition stating just cause.

4.5 Vacancies

Any vacancy in an office or committee may be filled by the Board. Whenever a vacancy occurs, a majority of the remaining Directors, though less than a quorum, may fill the vacancy and each

Director so appointed or designated shall hold office for the remainder of the term of the Directorship so vacated.

4.6 Board Meetings

The Board shall hold a minimum of four (4) regular Board meetings each year, at such time and place as the Board shall designate. All Board meetings will be publicized and open to the general membership, with not less than seven (7) days prior notice. Special Board meetings may be called by the President or by petition of one-third (1/3) of the Directors.

4.7 Notice of Board Meetings

Notice of the schedule of regular meetings may be provided on an annual basis to each Director and the general membership. Notice of special meetings of the Board shall be given to each Director not less than ten (10) days prior to the meeting. This notice will be made by email or by phone. Any business may be transacted at any meeting of the Board.

4.8 Quorum for Board Meetings

At all meetings of the Board a majority of Directors, which shall include at least one (1) Executive Officer, shall be present to constitute a quorum for the transaction of business. For example: If there are seven (7) Board members, four (4) must be present.

4.9 Voting

Each Director shall have one (1) vote at all meetings of the Board. All matters shall be decided by the vote of the majority of the Directors present at the meeting. The President does not have a vote except as the deciding vote in the case of a tie.

4.10 Compensation

All Officers, Directors, and committee members shall serve as such without salary, but the Board may authorize the payment by The Association of reasonable expenses incurred by the Directors in the performance of their duties reasonable expenses incurred by the Directors in the performance of their duties.

4.11 Titles and Qualifications

The Executive Officers of The Association shall consist of President, Vice President, Secretary, Treasurer, and such other Officers the Board may designate by election. Non-officer Board Members shall be called "Board Members At Large."

4.12 Selection of Officers

The Board shall elect from among themselves the following officers: President, Vice President, Secretary and Treasurer. This shall be the first order of business of the first meeting of the Board following the elections of Directors at the Annual Meeting.

4.13 The President

The President of the Board shall preside at all meetings of the Board and shall have such other powers and duties consistent with these Bylaws as may be assigned from time to time by the Board. The President will hold in confidence any and all privacy information of the members of The Association.

4.14 The Vice President

The Vice President of the Board shall possess the powers and discharge the duties of the President of the Board in the latter's absence or disability and shall have such other powers and duties not inconsistent with these Bylaws as may be assigned from time to time by the Board. The Vice President will hold in confidence any and all privacy information of the members of The Association.

4.15 The Secretary

It shall be the duty of the Secretary to cause a record to be kept of The Association, including all the meetings of the Board, and to perform such other duties consistent with these Bylaws as may be assigned from time to time by the Board.

4.16 The Treasurer

It shall be the duty of the Treasurer to supervise the financial affairs of The Association, to cause a full and accurate record to be kept of same, to provide regular reports to the Board on the financial status of The Association, and to perform such other duties consistent with these Bylaws as may be assigned from time to time by the Board. The Treasurer shall make an annual financial report to the members of The Association at the Annual Meeting in January.

4.17 Records

The Association shall maintain financial books and records of account; all minutes of the Board meetings, membership meetings, and committee meetings of The Association; the list of members; and copies of all other pertinent material. The Association records, books, documents, and contracts shall be made available for inspection at any reasonable time during usual business hours by any Director of The Association, any member of The Association, or

duly authorized representative thereof, for any lawful purpose. In the event The Association does not have an official office space, all records shall be in the possession of an appropriate Board member. Upon leaving office, each Officer or agent of The Association shall turn over to his or her successor, the President, or the Executive Director, in good order such Association monies, books, records, minutes, lists, documents, contracts, or other property of The Association as has been in the custody of such Officer or agent during his or her term of office.

Article 5: Committees

5.1 Designation

The Board may, by resolution adopted by a majority of the entire Board, designate such committees, task forces, and work groups as it deems appropriate and necessary and as desired by the general membership.

5.2 Committees, Task Forces, Work Groups

The Board may from time to time establish committees, task forces, and work groups, which shall have such duties and the members of which shall hold office for such periods as the Board may from time to time determine. However, no committee shall have any power or authority which could not be exercised by or had by the Board. The rules of procedures of such committees shall be determined from time to time by the Board or, if authorized by the Board, by the respective committees, task forces, or work groups. Any such committee, task forces, and work groups may be abolished or any member thereof removed with just cause at any time by the Board.

5.3 Notice of Meetings

Reasonable verbal and email notice, including time and place, of all committee meetings shall be given by the committee Chairperson to the members thereof.

5.4 Quorum for Committees

At meetings of any committee, a majority of the number of members designated by the Board shall constitute a quorum for the transaction of business. The act of a majority of members present at any meeting at which a quorum is present shall be the act of such committee, except as otherwise specifically provided by statute or these Bylaws. If a quorum is not present at the meeting of any committee, the members present may adjourn the meeting without notice other than the announcement at the meeting until a quorum is present.

Article 6: Deposits, Checks, Loans, Contracts

6.1 Deposit of Funds

All funds of the Association not otherwise employed shall be deposited in such banks, trust companies, or other reliable depositories as the Board from time to time may determine.

6.2 Checks

All checks, drafts, endorsements, notes, and evidence of indebtedness of The Association shall be signed by such Officers or agents of The Association and in such manner as the Board from time to time may determine.

6.3 Loans

No loans or other advance shall be contracted on behalf of The Association, and no note or other evidence of indebtedness shall be issued in its name.

6.4 Contracts

Any Officer specifically authorized by the Board may, in the name of and on behalf of The Association, enter into those contracts or execute and deliver those instruments to the extent authorized by the Board. Without the authorization of the Board, no Officer, staff, or other agent of The Association may enter into any contract or execute and deliver any instrument in the name of and on behalf of The Association.

Article 7: Conflict of Interest

7.1 No member, Director, or Officer of The Association shall be interested, directly or indirectly, in any contract relating to the operations conducted by it, nor in any contract for furnishing services or supplies to The Association, unless (a) such contract shall be authorized by an absolute majority of Directors present and voting at a meeting at which the presence of such Director is not necessary for such authorization, (b) the facts and nature of such interest shall have been fully disclosed or shown to the members of the Board present at the meeting at which such contract is to be authorized, and (c) any interested Director has abstained from participating in discussions or votes related to such authorization, other than to disclose the facts, and nature of such interest.

7.2 Anyone with a commercial interest, working with, for, or in coordination with the Park owner or management, directly or indirectly, is barred from membership.

Article 8: Amendment to Bylaws

Except as otherwise provided herein, these Bylaws may be altered, amended, or repealed, and new Bylaws may be adopted by a majority/two-thirds (2/3) vote of the members of The Association. Minor changes may be made by a majority/two-thirds (2/3) vote of the Board present at any regular meeting, a quorum being assembled, provided that written notice of such meeting, setting forth in detail the proposed Bylaw revisions, be given not less than ten (10) days prior to such meeting.

Article 9: Miscellaneous

9.1 Fiscal Year

The fiscal year of The Association shall be January 1 to December 31.

9.2 Nondiscrimination and Inclusivity

A commitment to inclusivity and diversity shall be a guiding principle of this organization. The members, Officers, Directors, committee members, employees, and persons served by The Association shall be selected entirely on a nondiscriminatory basis with respect to age, gender, race, ethnicity, sexual orientation, religion, and national origin.

9.3 Relation to Articles of the Association

These Bylaws are subject to and governed by the Articles of The Association.

These Bylaws were adopted by the Board of Directors of The Association on _____ day of _____ 20____.

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

Board Members At Large:

Reglamentos de la Asociación de Propietarios de Casas Móviles en Vista Village

Artículo 1: Nombre de la Asociación

El nombre de la organización será Vista Village Homeowners Association (Asociación de Propietarios de Vista Village), denominada de aquí en adelante “La Asociación” o “VV HOA”. Es una organización sin fines de lucro incorporada bajo las leyes del Estado de Colorado.

Artículo 2: Metas y Propósitos de la Asociación

Los propósitos con los cuales se forma esta asociación son:

- 2.1** Trabajar juntos para crear un ambiente seguro y desarrollar un sentido de comunidad, cooperación y respeto a través del apoyo mutuo. Uno de los principios de esta organización es el compromiso a la diversidad y a ser inclusivos.
- 2.2** Proporcionar educación, recursos y abogacía comunitaria que pueda ayudar a que los propietarios en Vista Village conozcan y protejan sus derechos como propietarios al lidiar con asuntos pertinentes y relevantes.
- 2.3** Desarrollar una red de apoyo para los propietarios en Vista Village.

Artículo 3: Membresía

3.1 Tipos de Miembros

La Asociación tendrá dos (2) tipos de miembros: votantes y no-votantes. Un (1) residente de cada domicilio será el miembro votante. Los miembros votantes deberán estar al día con su cuota de membresía para el año. Cualquier otro miembro de ese domicilio que tengan mayores de 18 años serán miembros no-votantes. Los miembros no-votantes pueden compartir sus ideas y opiniones, pero no podrán votar.

3.2 Requisitos para Miembros

Para que un domicilio califique para la membresía deberá haber al menos un (1) residente que se encuentra en el contrato de renta, que sea mayor de 18 años y que vive en Vista Village. Los miembros no pueden ser empleados del Parque ni

estar en una relación de pareja/matrimonio o ser familiar de alguien que trabaja para el Parque, aún cuando sean dueños de una casa y vivan dentro de la comunidad. Los miembros deberán apoyar la misión y visión de La Asociación y actuar de acuerdo a sus estatutos en todo momento.

3.3 Cuota de la Membresía

La cuota de la membresía será de \$10 por año, por domicilio. Estos fondos serán utilizados para contrarrestar los gastos de operación, como materiales de oficina, fotocopias, volantes y costos para rentar espacio para reuniones. La cuota de membresía se ha fijado en un valor bajo para que todas las personas lo puedan pagar, pero si alguien desea donar una cantidad más alta, se lo agradecemos.

3.4 Derechos de Voto

La cuota de membresía le otorga a cada domicilio un (1) voto por cada asunto que se establezca en La Asociación.

3.5 Reunión Anual

La Reunión Anual de los miembros se llevará a cabo en el mes de enero a una hora y fecha fijada por la Mesa Directiva, con el propósito de elegir a los Directores y llevar a cabo otros asuntos. Si la Reunión Anual no se lleva a cabo en la fecha especificada, la Mesa Directiva se asegurará que la reunión se lleve a cabo tan pronto como sea conveniente.

Debido a que La Asociación representa a una comunidad con familias y quiere que todas las personas puedan participar, no se prohibirá que niños menores estén presentes en la reunión, pero sí pide que estos niños se comporten de manera respetuosa, callada y sin interrumpir la reunión.

3.6 Reuniones Especiales

El Presidente, o no menos de tres (3) de los miembros votantes pueden hacer una llamada para una Reunión Especial y por cualquier propósito.

3.7 Lugar de las Reuniones

Todas las reuniones se llevarán a cabo en un lugar dentro de la Ciudad o Condado de Boulder, tal como lo decida el Presidente o la Mesa Directiva

3.8 Notificación de Reuniones

El Presidente, el Secretario o la Mesa Directiva se asegurarán de que cada miembro con derecho a recibir notificación sobre las reuniones o de votar en dicha reunión, reciba información con el lugar, la fecha y la hora de la(s) reunión(es), y en el caso de una reunión especial, el propósito de dicha reunión. Una notificación sobre la reunión se colocará en un lugar céntrico y notorio, y además se enviará información a través de correo electrónico o por teléfono.

Si en cualquier momento, con el pedido por escrito de no menos de diez (10) de los miembros con derecho a voto en la reunión, será la responsabilidad del Secretario de notificar a los miembros que se llevará a cabo una reunión especial, dando a conocer la fecha, hora y lugar, no menos de cinco (5) días después de recibir el pedido por escrito, al menos que dos-tercios (2/3) de los miembros informen, a través del pedido, que se pueden reunir en una fecha más temprana. Si el Secretario desatiende o ignora este pedido, la persona o las personas que han hecho el pedido podrán establecer la fecha, hora y lugar de dicha reunión.

3.9 Quórum

Un “quórum” de los miembros se define como “el número mínimo de miembros presentes necesarios para llevar a cabo una votación.” Se considerará que hay quórum si el 25% de los miembros que pueden votar están presentes en una reunión de los miembros de La Asociación. Si menos del quórum está presente en una reunión, ésta deberá ser post-puesta para otra fecha. Por ejemplo, si hay 100 miembros que pueden votar, al menos 25 de ellos deben estar presentes para una votación. Si hay menos de 25 presentes, se pospone la reunión.

3.10 Forma de Actuar

La mayoría de votos de los presentes con derecho a voto (51%), ya sea en persona o por representante, será necesario para adoptar cualquier asunto sobre el cual se debe votar. Por ejemplo, si hay 25 presentes, se requieren 13 votos para tener una mayoría.

3.11 Voto en Ausencia/ Por Representante

Un miembro votante podrá votar por representante con nota escrita pro el miembro votante (o por su apoderado). Este documento deberá ser entregado y

registrado por el Secretario de La Asociación antes o durante la reunión. La designación de un representante se invalidará a los once (11) meses luego de su ejecución, al menos que se estipule lo contrario en la nota original.

Si un voto de un representante se usa con respecto a una reunión particular, el representante podrá votar en cualquier otra reunión que se convoque para dar seguimiento a dicha reunión. Sin embargo, al resolver el tema, dicho voto por representante será anulado.

Un miembro votante podrá pedirle al Secretario una balota en ausencia, llenarla y entregarla antes de la fecha fijada para un voto. Las balotas en ausencia serán contadas para determinar si hay quórum.

Artículo 4: Mesa Directiva y Oficiales

4.1 Poderes

Esta organización se apoyará en una Mesa Directiva (La Mesa) como la base gubernativa para los propietarios en Vista Village. Las actividades, los asuntos y la propiedad de La Asociación serán gestionados, dirigidos y controlados por La Mesa; y sus poderes serán conferidos y ejercidos por la Mesa.

4.2 Número de Miembros, Plazo y Elección

El número de miembros, incluyendo a los Oficiales (Presidente, Vice-Presidente, Secretario y Tesorero) será entre cinco a nueve (5-9) miembros, dependiendo del número de miembros de La Asociación y de manera que se asegure una representación adecuada de los miembros.

Los Directores desempeñarán su cargo por un plazo de dos (2) años o hasta que sus sucesores sean elegidos, lo que sea posterior. Ninguna persona podrá desempeñar un cargo en la Mesa Directiva por más de tres (3) plazos consecutivos, un total de seis (6) años consecutivos. Después de un año de ausencia, podrán volver a postularse a la Mesa Directiva.

Al menos que un Oficial renuncie, fallezca o sea retirado antes de finalizar su plazo, él o ella permanecerá en su plazo hasta que se elija y capacite a su sucesor.

4.3 Renuncia

Cualquier Director u Oficial podrá renunciar a su puesto al entregar una carta de renuncia a la Mesa Directiva.

4.4 Destitución

Cualquier Director u Oficial podrá ser destituido con causa en cualquier momento si existe el voto afirmativo de la mayoría de Directores en reunión debidamente convocada por La Mesa, y cuya notificación deberá especificar la destitución propuesta.

Un Director será automáticamente destituido de La Mesa luego de tres (3) ausencias consecutivas y no justificadas de reuniones ordinarias de La Mesa.

Los miembros de La Asociación pueden hacer una petición a La Mesa para la destitución de cualquier miembro de ésta si 2/3 de los miembros votantes han firmado una petición especificando una causa justa.

4.5 Plazas Vacantes

La Mesa Directiva deberá llenar cualquier plaza vacante, ya sea de un Oficial o de un comité. Cuando se de el caso de una plaza vacante, una mayoría de los miembros de La Mesa, aún si son menos del quórum, podrán llenar la plaza vacante y cada Oficial o miembro que sea nombrado o designado cumplirá en ese cargo el resto del plazo que queda.

4.6 Reunión de la Mesa Directiva

La Mesa Directiva tendrá un mínimo de cuatro (4) reuniones ordinarias cada año, con la hora y en el lugar que La Mesa establezca. Se anunciarán todas las reuniones de la Mesa Directiva con por lo menos siete (7) días de anticipación, y están abiertas a cualquier miembro de La Asociación. La Reuniones Especiales de la Mesa Directiva pueden ser convocadas por el Presidente o por una petición de un tercio (1/3) de los miembros de La Mesa.

4.7 Notificación de Reuniones

Cada miembro de la Asociación y de la Mesa Directiva podrá recibir un calendario con las reuniones regulares del año.

Las reuniones especiales de la Mesa Directiva se les anunciará a los miembros de La Mesa por lo menos con diez (10) días de anticipación. Esta notificación se hará por correo electrónico o por teléfono.

Se puede tramitar cualquier negocio durante cualquier reunión de la Mesa Directiva.

4.8 Quórum para Reuniones de la Mesa Directiva

En todas las reuniones de la Mesa Directiva, la mayoría de Directores, lo que incluye al menos un (1) oficial, deberán estar presentes para lograr el quórum necesario para tramitar cualquier negocio. Por ejemplo, si hay siete (7) miembros de La Mesa, por lo menos cuatro (4) deben estar presente.

4.9 Votación

Cada Director tiene derecho a un (1) voto en cada reunión de la Mesa Directiva. Todos los asuntos serán decididos por el voto de la mayoría de Directores que están presentes en dicha reunión. El Presidente no tiene voto al menos que éste sea necesario para romper un empate.

4.10 Compensación

Todos los Oficiales, Directores y miembros de comités darán su servicio sin recibir salario, pero La Mesa puede autorizar el pago por cuenta de La Asociación de gastos razonables que los Directores puedan tener en el cumplimiento de sus labores.

4.11 Títulos y Requisitos

Los Oficiales Ejecutivos de La Asociación son: el Presidente, el Vice-Presidente, el Secretario y el tesorero, y cualquier otro Oficial que La Mesa designe por elección. Los miembros de La Mesa que no son Oficiales Ejecutivos serán llamados "Miembros Generales de La Mesa"

4.12 Selección de Oficiales

La misma Mesa Directiva elige a los Oficiales de entre sus miembros: Presidente, Vice-Presidente, Secretario y Tesorero. Esta elección será el primer tramite de la

primera reunión de La Mesa, después de la elección de Directores en la Reunión Anual de Miembros.

4.13 Presidente

El Presidente de La Mesa será quien dirige todas las reuniones de La Mesa y deberá asumir otros poderes y responsabilidades consistentes con estos Reglamentos como le asigne la Mesa Directiva cuando sea necesario. y tiene otras obligaciones. El Presidente deberá mantener la confidencialidad y discreción de cualquier información privada de los miembros de La Asociación.

4.14 Vice-Presidente

El Vice-Presidente de La Mesa conllevará los poderes y las responsabilidades del Presidente de la Mesa si éste se encuentra ausente o no puede llevarlos a cabo, y deberá asumir otros poderes y responsabilidades consistentes con estos Reglamentos como le asigne la Mesa Directiva cuando sea necesario. El Vice-Presidente deberá mantener la confidencialidad y discreción de cualquier información privada de los miembros de La Asociación.

4.15 Secretario

Será la responsabilidad del Secretario de mantener los registros de La Asociación, incluyendo todas las reuniones de La Mesa, y llevar a cabo otras responsabilidades consistentes con estos Reglamentos como le asigne la Mesa Directiva cuando sea necesario.

4.16 Tesorero

El Tesorero tendrá la responsabilidad de supervisar los asuntos financieros de La Asociación, proporcionarle a La Mesa reportes de manera regular sobre el estatus financiero de La Asociación, y llevar a cabo otras responsabilidades consistentes con estos Reglamentos como le asigne la Mesa Directiva cuando sea necesario. El Tesorero proporcionará un reporte financiero anual para los miembros de La Asociación durante la Reunión Anual en enero.

4.17 Registros

La Asociación mantendrá registros financieros, minutas de las reuniones de La Mesa, de miembros y de comités lista de miembros; la lista de miembros y copias

de todos los materiales pertinentes. Todos los registros, libros de contabilidad, documentos y contratos de La Asociación estarán disponibles para que cualquier Director o miembro de La Asociación, o cualquier otro representante debidamente autorizado, los pueda inspeccionar por cualquier propósito legal a cualquier hora razonable en horario hábil/de oficina. En el evento que La Asociación no tenga un espacio oficial de ofician, todos los registros quedarán en posesión del miembro de la Mesa Directiva apropiado. Cuando los miembros de la Mesa Directiva dejen de ejercer en dicha capacidad le entregarán a su sucesor, al Presidente o al Director Ejecutivo todos los fondos, libros, registros, minutas, listas, documentos, contratos y cualquier otra propiedad de La Asociación que haya quedado bajo su custodia durante su servicio como miembro de La Mesa.

Artículo 5: Comités

5.1 Designación

La Mesa Directiva podrá, por resolución aprobada por la mayoría de votos de La Mesa, designar la creación de comités y equipos de trabajo según sea apropiado, necesario y deseado por los miembros de La Asociación.

5.2 Comités y Grupos de Trabajo

La Mesa Directiva podrá establecer comités y equipos de trabajo, los cuales tendrán las responsabilidades que La Mesa determine y cuyos miembros ocuparán su cargo por el período que la Mesa determine. Sin embargo, ningún comité tendrá ningún poder ni autoridad que no pueda ser ejercido por la Mesa Directiva.

Las reglas y procedimientos de dichos comités serán determinados por La Mesa Directiva cada cierto tiempo, o si lo autoriza La Mesa, por los comités o grupos de trabajo respectivos. Cualquier comité o grupo de trabajo podrá ser anulado o cualquier de sus miembros dimitido con causa justa si así lo determina La Mesa.

5.3 Notificación de Reuniones

El vocal del comité deberá dar, en un plazo razonable, una notificación verbal y por correo electrónico que incluya la fecha, hora y lugar de todas reuniones del comité a los miembros de éste.

5.4 Quórum para los Comités

En todas las reuniones de cualquier comité, un voto por la mayoría de miembros designados por la Mesa Directiva constituirá el quórum necesario para tramitar asuntos. La decisión de la mayoría de miembros presentes en cualquier reunión en la cual se haya logrado el quórum necesario será la decisión de dicho comité, con la excepción de lo presentado en por estatuto o por estos Reglamentos. Si no hay suficientes miembros presentes para establecer quórum en una reunión de comité, los miembros presentes podrán dar por concluida la reunión sin necesidad de dar ninguna notificación aparte de anunciar dicha conclusión de la reunión hasta que se logre establecer un quórum.

Artículo 6: Depósitos, Cheques, Prestamos, Contratos

6.1 Depósito

Todos los fondos de La Asociación que no estén siendo utilizados se depositarán en el banco, sociedad de fideicomiso u otra institución fiable que la Mesa Directiva determine.

6.2 Cheques

Todos los cheques, giros, avales, notas y evidencia de deuda de La Asociación deberán ser firmados por los Oficiales o agentes de La Asociación y del modo que lo determine La Mesa.

6.3 Préstamos

No se contraerá ningún préstamo u avance en nombre de La Asociación, y no se emitirá ninguna nota ni otro tipo de evidencia de deuda en su nombre.

6.4 Contratos

Cualquier Oficial, debidamente autorizado por la Mesa Directiva, podrá en nombre de La Asociación, contraer un contrato o suscribir y ejecutar dichos instrumentos a la medida que La Mesa le haya autorizado. Sin la autorización de la Mesa Directiva, ningún Oficial, personal u otro agente de La Asociación podrá contraer ningún contrato ni suscribir y ejecutar ningún instrumento en nombre de La Asociación.

Artículo 7: Conflicto de Interés

- 7.1** Ningún miembro, Director u Oficial de La Asociación podrá tener un interés directo o indirecto en cualquier contrato relacionado a las operaciones de La Asociación, ni tampoco en ningún contrato para prestar servicios o proporcionar materiales a La Asociación, al menos que (a) dicho contrato es autorizado por una mayoría absoluta de los miembros de la Mesa Directiva presentes y ejerciendo su voto en una reunión en donde la presencia de dicho Director no es necesaria para dicha autorización, (b) la descripción y naturaleza de dicho interés habrán sido revelados en su totalidad o presentados a los miembros de La Mesa presentes en la reunión en donde dicho contrato será autorizado, y (c) cualquier Director que tenga un interés se haya abstenido de participar en las discusiones o los votos relacionados a dicha autorización, aparte de divulgar la descripción y naturaleza de dicho interés.
- 7.2** Cualquiera que tenga un interés comercial, trabaje con, para o en coordinación con el dueño del Parque o con la Gerencia, ya sea directa o indirectamente, tiene prohibido ser miembro de la Asociación.

Artículo 8: Enmiendas a los Reglamentos

Con la excepción de lo dispuesto en este artículo, estos Reglamentos podrán ser alterados, enmendados o revocados y que nuevos Reglamentos podrán ser adoptados por una mayoría/dos-tercios (2/3) de votos de los miembros de La Asociación. Cambios menores se pueden hacer con la mayoría/dos-tercios (2/3) de votos de la Mesa Directiva presente en cualquier reunión ordinaria, siempre que se establezca quórum, siempre y cuando se haya dado notificación por escrito de dicha reunión estableciendo detalladamente las revisiones propuestas a los Reglamentos por lo menos con diez (10) días de anticipación.

Artículo 9: Enmiendas a los Reglamentos

9.1 Año Fiscal

El año fiscal de La Asociación será del 1 de enero al 31 de diciembre.

9.2 La No-Discriminación y La Inclusión

Uno de los principios de esta organización es el compromiso a la diversidad y a ser inclusivos.

Los miembros, Oficiales, Directores, miembros de comités, empleados y personas a quienes sirve esta Asociación serán seleccionados a base puramente no-discriminatoria en relación a edad, género, raza, etnicidad, religión y país de origen.

9.3 Relación a los Artículos de La Asociación

Estos Reglamentos están sujetos a y gobernados por los Artículos de La Asociación.

Estos Reglamentos fueron adoptados por la Mesa Directiva de La Asociación este día _____ del mes de _____ de 20____.

Presidente: _____

Vice-Presidente: _____

Secretario: _____

Tesorero: _____

Miembros Generales:

