

WOODFIELD ESTATES HOMEOWNERS ASSOCIATION

Hazard Tree Policy

September 15, 2022

HAZARD TREE POLICY STATEMENT

Purpose:

The purpose of this policy statement is to explain the Boards position regarding hazardous trees in the Woodfield Estates open space.

Authority:

The Bylaws of the Woodfield Estates Homeowners Association (WEHA) grants the WEHA Board of Directors (Board) the power to establish rules and regulations as necessary to conduct WEHA business.

ARTICLE IV of the Bylaws describes the
DIRECTORS AND OFFICERS.

Section 1 establishes the Board and its powers:

Corporate powers of the corporation shall be vested in a Board of Directors. The number of directors who shall manage the affairs of the corporation shall be five.

ARTICLE VI of the Bylaws describes the
POWER AND DUTIES OF DIRECTORS.

Section 1 grants corporate powers to the Board:

Subject to limitations in the Articles of Incorporation, these Bylaws, and the laws of the State of Washington, all powers of the corporation shall be exercised by or under the authority of, and the business and affairs of the corporation shall be controlled by the Board of Directors.

Section 1, Subsection 2 grants regulatory powers to the Board:

To conduct, manage, and control the affairs and business of the corporation, and to make such rules and regulations therefore^a not inconsistent with law, with the Articles of Incorporation, the Declaration [of Covenants, Conditions and Restrictions], or these Bylaws, as they may deem best.

Documentation:

All documents generated as a result of this policy will be retained by the WEHA secretary and will be included in the WEHA *Business Records*¹.

Comment Form².

Anyone wishing to report a hazard tree in the Woodfield Estates open space will use the WEHA *Comment Form*.

Correspondence.

All official hazard tree related communication between homeowners and the WEHA Board will be in writing. Either paper or electronic media are acceptable.

Strategy:

It is the understanding of the Board that a downed tree on one's property is the responsibility of the owner of that property regardless of whose property the tree originated from.

It is the understanding of the Board that a property owner who knowingly maintains a condition on their property that presents a hazard to others may be found liable for damages that are caused by that hazard.

The WEHA Board takes action to identify any hazard that a tree in the WEHA common area may present to others, and to resolve the risk to others. The Board uses only those who have expert knowledge in this area to assess the common area trees and recommend action.

The WEHA Board solicits input from the Association members regarding the potential hazard that a tree in the common area may present.

History:

Submitted on September 15, 2022

Notes:

^aIn this context "rules and regulations" apply to the management of corporate business, not to extensions of the CC&Rs

References:

¹Business records are described in the [TBD] Policy.

²All forms, including form letters, are found in the Forms section of the business records.

COMPLIANCE PROCESS

Purpose:

The purpose of this process is to ensure that the trees in the Woodfield Estates Homeowners' Association (WEHA) common area pose no threat to WEHA homeowners.

This process is intended to provide:

1. **NEIGHBORHOOD INVOLVEMENT** in identifying hazard trees in the WEHA common area, where each WEHA homeowner has the opportunity to anonymously report their concerns to the WEHA Board,
2. **CONSISTENCY** in the assessment of hazard trees and their removal,
3. **TRANSPARENCY** into hazard tree assessment, and
4. **NEIGHBORHOOD OVERSIGHT** of issues involving hazard trees in the WEHA common area.

last tree assessment was 2021?

Authority:

This hazard tree process as adopted by the WEHA Board of directors to address the WEHA Hazard Tree Policy, falls under the authority of the WEHA Hazard Tree Policy.

Implementation:

1. ASSESSMENTS

There will be an assessment of the trees in the WEHA common area every three years. These assessments will be conducted by certified arborists or by organizations that are recognized as competent to assess the risks that trees may present as they age.

Additional assessments may be arranged by the Board as needed.

2. NOTIFICATION

Notice of upcoming tree assessments will be provided to WEHA homeowners so that any concerns in the neighborhood regarding hazard trees may be included in the assessment.

After the assessment is completed, the resulting report will be available to the WEHA homeowners.

3. RESOLUTION

The Board will review the recommendations stated in the assessment report and arrange for

any work that the Board determines is necessary.

4. **WEHA RESPONSIBILITY**

The Board accepts financial responsibility for the issues identified in the assessment report. The Board will not accept financial responsibility for damages caused by unforeseen circumstances.

5. **APPEALS**

When a WEHA homeowner incurs expenses related to trees in the WEHA common areas, the homeowner has 30 days after incurring such expenses in which to petition the Board for reimbursement. The Board will respond within 30 days with its decision. Each such decision is specific to that appeal and is not an acceptance or refusal of financial responsibility for any other appeal, past, present, or future.

History:

Submitted on September 15, 2022