



Calaveras Timber Trails Association

P O Box 362, Avery, CA 95224
209 795-2130

2020 Annual Policy Statement

Adopted 2/8/2020

This 2020 Calaveras Timber Trails Association (CTTA) Annual Policy statement is provided to you in accordance with the requirement of California Civil Code §5310.

1. Association's Designated Recipient – Civil Code §§5310(a)(1), 4035

The following person is designated to receive official Calaveras Timber Trails Association communications.

Physical Address:

Calaveras Timber Trails Association
Attn: Bonnie Silva, CTTA Office Manager
1071 Avery Sheep Ranch Road
Avery, CA 95224

Mailing Address:

Calaveras Timber Trails Association
Attn: Bonnie Silva, CTTA Office Manager
PO Box 362
Avery, CA 95224

Overnight:

Calaveras Timber Trails Association
Attn: Bonnie Silva, CTTA Office Manager
PO Box 362
Avery, CA 95224

*The local post office is closed weekends and holidays. If you use a carrier other than USPS, use the physical address listed above.

2. Right of Notice to Two Addresses – Civil Code §§5310(a)(2), 4040(b)

Members of Calaveras Timber Trails Association may have notices sent to up to two different addresses. If you wish to have notices sent to a second address, please provide the address to CTTA office.

3. General Notice Location – Civil Code §§5310(a)(3), 4045(a)(3)
 General Notices will be posted on the bulletin board outside CTTA's office and on CTTA's website www.calaverastimbertrails.com.

4. Right to Receive General Notice by Individual Delivery – Civil Code §§5310(a)(4), 4045(b)
 A member has the right to receive General Notices by Individual Delivery. The request must be made in writing (Civil Code §5260), to the designated recipient at the address listed above. Individual delivery includes one of the following methods:
 1. First class mail, postage prepaid, registered or certified mail, express mail, or overnight delivery by an express service carrier. The document shall be addressed to the member at the address last shown on the books of the association.
 2. Email, if the member has consented in writing to that method of delivery. The consent may be revoked in writing by the member.

5. Right to Receive Board Minutes - Civil Code §§5310(a)(5), 4950(b)
 Minutes of all open meetings of the Board of Directors are available to members of the Association within 30 days of the meeting, if only in draft form. The approved and signed minutes are available to be viewed on CTTA's website www.calaverastimbertrails.com . Exempt are the closed Executive Board of Directors minutes.

 In addition, the minutes, proposed minutes, or summary minutes of all open meetings will be distributed to any member of CTTA upon request and upon reimbursement of CTTA's costs for making that distribution, including processing charges, if any, copy charges, and postage.

6. Collection Policy – Civil Code §§5310(a)(6), 5730
 Refer to attached titled **Collection Policy**

7. Governing Document Enforcement and Fine Policy – Civil Code §§5310(a)(8), 5850
 CTTA Board of Directors shall have the right to adopt reasonable rules and regulations for the use and occupancy of the campsites and the property of CTTA and to impose penalties, including fees and disciplinary action...provided that such schedule is approved by 51% or more of the members. Fees and penalties may relate to the activities of a guest or invitee of a Member. Rules, Regulations, Guidelines and Bylaws will be enforced by the Board of Directors. Members in violation will be notified in writing of their offense(s) and will be given an opportunity to appeal in front of the Board at a regularly scheduled Closed Executive Board meeting. The Board of Directors shall distribute to each Member a schedule of the monetary penalties and disciplinary action that may be imposed for those violations. Refer to attached titled **CTTA Fines and Penalty Schedule**.

8. Internal Dispute Resolution Procedure (meet & confer) – Civil Code §§5310(a)(9), 5920, 5965
 CTTA must provide a fair, reasonable and expeditious procedure for resolving disputes between CTTA and its members without charging a fee to the member participating in the process. Civil Code 5915(b) states in part that if an association does not establish its own procedure, then the following procedures automatically apply.
 1. The party may request the other party to meet and confer in an effort to resolve the dispute. The request shall be in writing.
 2. A member of CTTA may refuse a request to meet and confer. CTTA may not refuse a request to meet and confer.

3. The board shall designate a director to meet and confer.
4. The parties shall meet promptly at a mutually convenient time and place, explain their position to each other, and confer in good faith in an effort to resolve the dispute. The parties may be assisted by an attorney or another person at their own cost when conferring.
5. A resolution (written agreement) of the dispute agreed to by the parties shall be put in writing and signed by the parties, including the board designee on behalf of CTTA.

9. Alternative Dispute Resolution Procedure – Civil Code §§5925-5965

Summary of Civil Code §§5925-5965

1. An association or member of an association may not file an action in Superior Court seeking either: 1) declaratory or injunctive relief to enforce the governing documents, the Davis-Stirling Common Interest Development Act or the Corporations Code, or (b) in conjunction with a claim to \$7500 or less (other than assessments), unless the parties have endeavored to submit their dispute to alternative dispute resolution (ADR) which includes mediation, arbitration, conciliation, or other non-judicial procedure that involves a neutral party in the decision-making process. The ADR may be binding or non-binding.
2. This requirement does not apply to disputes within the jurisdiction of the Small Claims Court or disputes over assessments.
3. The ADR process is commenced by one party serving the other party with a Request for Resolution. It must contain the following:
 - a. A brief description of the dispute;
 - b. A request for alternative dispute resolution (ADR); and
 - c. A notice that the party receiving the Request for Resolution to respond within 30 days of receipt or the request will be deemed rejected.
 - d. If the person on whom the request is served is a member, a copy of the statutes governing ADR, Civil Code §§5925-5965 will be provided.
4. Service of the Request for Resolution shall be by personal deliver, first-class mail, express mail, or other means reasonably calculated to give the other party actual notice.
5. A party served with a Request for Resolution has 30 days to accept or reject the request. Failure to accept or reject is deemed a rejection.
6. If Request for Resolution is accepted, ADR must be completed within ninety (90) days from the date of acceptance. The deadline can be extended by a written agreement among all parties.
7. The costs of ADR shall be shared by the parties.
8. The time to file a civil action is suspended while ADR is pending.
9. Refusal to participate in ADR may result in the loss of your right to recover attorney fees in the subsequent Superior Court action.

FAILURE OF A MEMBER OF THE ASSOCIATION TO COMPLY WITH THE ALTERNATIVE DISPUTE REQUIREMENTS OF SECTION 5930 OF THE CIVIL CODE MAY RESULT IN THE LOSS OF YOUR RIGHT TO SUE THE ASSOCIATION OR ANOTHER MEMBER OF THE ASSOCIATION REGARDING ENFORCEMENT OF THE GOVERNING DOCUMENTS OR THE APPLICABLE LAW.

10. Rules and Design – Civil Code §§5310(a)(10), 4765

Rules and Design consists of a CTTA director and group of members who work together to assure that CTTA's property and member's site improvements stay within the guideline set down in CTTA's Bylaws and CA Title-25 construction codes. Per Housing and Community Development, nothing can be built on any CTTA member site that requires a building permit. Rules and Design also assure that member sites being sold have accurate site measurements, set-backs and are compliant before they are listed to be sold. Refer to attached **Site Improvement Description and Restrictions**.

11. Overnight Payment Mailing Address – Civil Code §§5310(a)(11), 5655

The mailing address for both regular and overnight payment of assessment:
Calaveras Timber Trails Association
PO Box 362
Avery, CA 95224

12. Miscellaneous Information – Civil Code §§5310(a)(12)

Fire and Safety Disclaimer

Fire and safety standards and inspections are critical to protecting our park, maintaining and increasing the value of the property, and securing our annual fire permits. While campsite clean up and inspection in the spring is mandatory, as a member of CTTA and per Bylaw 7.2.26, we have a responsibility to maintain our campsite in a neat, clean and orderly manner at all times. So, before the Fire and Safety inspection deadline, get a head start by getting rid of your trash, clutter, and making sure firewood is at least 10 feet away from all trailers, sheds, decks, etc. on your campsite as well as 10 feet away from your neighbors.

13. Prohibition on Residency – Articles of Incorporation/Bylaws, July 2006, Section 10.7

RESIDENCE ON CTTA PROPERTY

All members are prohibited from establishing residence on the property. Residence is defined as being permanent and your only living establishment versus being migratory or transient. The Board of Directors is responsible for enforcement. Any Member, if formally asked by the Board of Directors, is required to show (in writing) verifiable proof of residence outside the confines of the Association's premises. A Post Office Box in some community does not establish residence for compliance with this Bylaw. Compliance will be administered under Bylaw 10 as a serious offense against the Association and sanctions up to and including full suspension of membership may be imposed.

All members will be required to submit verifiable proof of residence outside the confines of the park no later than June 13, 2020. Verifiable proof shall require the submission of a valid California "Real ID" "OR" TWO documents that contain the member's mailing address. BOTH documents must show the member's first and last name and the same mailing address that is listed on their driver license or identification card of the member.

If the member's name does not appear on any residency documents, the member may present a

birth certificate, marriage license, or domestic partner registration certificate to trace their relationship to the person whose name DOES appear on the residency documentation. The name on the residency documents must match the name on the tracing document.

If the residency document reflects a name that differs from the tracing document due to a name change (for example, marriage, divorce, or court order), additional name change documentation will be required as evidence of the name change

A member must select TWO different documents from the list below:

- Rental or lease agreement with the signature of the owner/landlord and the tenant/resident
- Deed or title to residential real property
- Mortgage bill
- Home utility bill (including cellular phone)
- School documents issued by a public or private primary, secondary, or post-secondary institution, college, or university that includes the applicant's date of birth. If using a foreign school document, it must be sealed by the school and include a photograph of the applicant at the age the record was issued
- Medical documents
- Employment documents
- Insurance documents, including medical, dental, vision, life, home, rental or vehicle
- Tax return (either Internal Revenue Service (IRS) or California Franchise Tax Board (FTB))
- Change of Address Confirmation by the U.S. Postal Service
- Property tax bill or statement
- Faith-based document that includes the name and address of organization
- Records from any state or national bank, state or federal savings association, trust company, industrial loan company, state or federal credit union, or any institution or entity that has issued a credit card
- Voter registration confirmation letter or postcard issued by the California Secretary of State or a local California county elections officer

- Proof of payment of resident tuition at a public institution of higher education in California
- An original copy of an approved Claim for Homeowners' Property Tax Exemption (BOE-266) form filed with a local California County Assessor
- Court documents that list the applicant as a resident of California
- Letter attesting that the applicant resides in California from a homeless shelter, shelter for abused women, non-profit entity, faith-based organization, employer or government agency within the United States
- A document issued by a U.S. government agency, meaning the entity, office, or authority governing over a country, state, county, city, municipality, district, agency, department, or any other political subdivision of a country or state
- California Certificate of Vehicle or Vessel Titles or registration

Documents must be unexpired.

14. **Security Disclaimer** No matter what steps CTTA takes, CTTA can never be completely safe and secure. As a result, CTTA is not and can never be free of crime and cannot guarantee your personal safety or security. Accordingly, you should NOT rely on CTTA to protect you from loss or harm. Instead, you should provide for your own safety and security by taking common sense precautions such as carrying insurance against loss; keeping your doors and windows locked; not storing valuable items outside, even if they are enclosed; installing security cameras at your campsite; locking your vehicle and not storing valuables in them; and properly securing storage sheds; etc.