Evergreen Shores Beach Club Homeowner's Association

COMPLAINT AND ENFORCEMENT POLICY

Evergreen Shores Beach Club
7540 Lakeside Street, SW, Olympia, WA 98512

Effective Date: January 1, 2026

For more information, please contact the community manager identified in Attachment 1.

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COMPLAINT AND ENFORCEMENT POLICY

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Effective Date: January 1, 2026

PURPOSE OF THIS DOCUMENT

This “Complaint and Enforcement Policy” outlines how members can report violations of the Evergreen Shores Beach Club’s (ESBC) governing documents (Restrictive and Protective Covenants (Declarations), By-Laws, Articles of Incorporation), how violations will be handled, and identifies penalties for non-compliance. This policy replaces all previous versions and is effective as of January 1, 2026, once signed by the President of the ESBC Board of Trustees (Board) or their designee.

WHO DOES THIS POLICY APPLY TO?

This policy applies to homeowners and lot owners in the following areas of Evergreen Shores Beach Club:

Division I – Recorded on November 6, 1968 (Recording #721108 at Thurston County).

Division 2 – Recorded on April 11, 1969 (Recording #799274 at Thurston County).

Division 2A – Recorded on October 27, 1969 (Recording #811531 at Thurston County).

Division 3 – Recorded on December 30, 1969 (Recording #814860 at Thurston County).

I. DEFINITIONS OF TERMS

Board of Trustees (Board) - The ESBC by-laws provide for selection of a group of ESBC homeowners to make decisions regarding operation and administration of the ESBC Homeowners Association and amenities owned or managed by ESBC.

Community management and accounting software - The community management company will use community management and accounting software to track expenditures, account balances, provide communications for the association, and a host of other tasks. Communications through the community management with homeowners in ESBC are considered official communications of the Board.

Community manager - The individual, agency, or company selected by the Board to provide day-to-day management and administration services for the Association.

Complaint Form – The information to be collected for a complaint is detailed in Attachment 2..

ESBC Homeowners Association (Association) - A Washington State not-for-profit organization made up of ESBC members.

Governing Documents - This term is inclusive of the Restrictive and Protective Covenants for each of ESBC's four divisions (Declarations), the ESBC By-laws, and the ESBC Articles of Incorporation.

Member in Good Standing - A member who is current on all HOA dues, fees, and assessments (or on an approved payment plan) and is not under suspension or revocation of amenity rental privileges.

Member - A homeowner or lot owner in ESBC. The official member is the person(s) listed as the property owner in Thurston County records.

II. GENERAL INFORMATION REGARDING SUBMITTING A COMPLAINT

A. This policy applies only to violations of ESBC's governing documents. All other issues shall follow a process described in an ESBC policy or shall be submitted to Thurston County.

B. Use the official Evergreen Shoes Beach Club Homeowners Association Complaint Form (Attachment 2). The form can be accessed at http://evergreenshores.org/Governing_Documents or on the community management and accounting software platform (See Attachment 1).

C. All complaints must be signed and dated.

D. Complaints can come from members or the Board.

E. Members are responsible for complaints about their rental properties and renters.

F. The complainant's identity stays confidential during the investigation and any enforcement.

III. ENFORCEMENT

A. When the Board makes a decision regarding a complaint:

1. The Board shall notify the respondent of its decision within 5 business days using the email and mailing address shown in the community management and accounting platform.

2. The respondent will have 10 business days from the date of notification by the Board to:
    a. Agree with the Board's findings and agree to comply with the finding within a given amount of time.
        - When the finding has been addressed to the Board's satisfaction, the complaint will be closed.
        - If the finding has not been addressed within the agreed amount of time or has not been completed to the Board's satisfaction, the complaint shall be reconsidered for further enforcement by the Board.
    b. Or ask for a hearing. The Board shall schedule a hearing within 30 business days and make a final decision.
    c. Or the respondent can choose not to reply at all. If the respondent does not reply, the Board's decision shall be considered final, and all applicable fines will apply.

B. Repeated violations can lead to new complaints.

C. The Respondent has 30 business days from being notified of the Board's decision to start fixing the problem. Extra time may be requested, but the Board doesn't have to approve it.

D. The Board shall contact Thurston County if it determines, as the result of an investigation into a complaint, that there has been a violation of county rules.

IV. FINE SCHEDULE

The Board can charge fines for rule violations according to the following schedule. Any fines or damage costs shall be added to the member's account in the community management and accounting platform.

1st Violation of Governing Document	**2nd Violation of Governing Document**	**3rd Violation of Governing Document**	**4th and Subsequent Violations of Governing Document**
Warning	Warning	$300 per violation	$450 per violation

VII. FINANCIAL RESPONSIBILITY

A. Members must pay for fines, damages, or costs caused by themselves, their tenants, or guests. Unpaid amounts can lead to late fees, collections, legal action, liens, or foreclosure.

B. Any costs the Association spends to enforce rules (like attorney fees or collection costs) must also be paid by the member.

C. These fines and costs do not stop the Association from using other legal options to enforce the rules.

V. ACCEPTED PAYMENT METHODS

A. Electronic Funds Transfer (EFT) – no charge

B. Credit card – the credit card company will add a charge of 3% of the transaction cost to your purchase.

C. Mail a check. The mailing address for payment by check is in Attachment 1. There is no transaction cost for paying by check.

FOR MORE INFORMATION, PLEASE CONTACT THE COMMUNITY MANAGER IDENTIFIED IN ATTACHMENT 1.

Approved by ESBC Board of Trustees on December 1, 2025.

T. Wilson
Signature of Board President or Designee

12-1-25
Date

Terry Wilson
Printed Name

ATTEST:

Scott Waller
Signature of Board Secretary or Designee

12/8/25
Date

Scott Waller
Printed Name

ATTACHMENT 1 – CURRENT CONTACT AND OTHER INFORMATION REGARDING THIS POLICY – CURRENT AS OF JANUARY 1, 2025

This attachment provides additional detail regarding contact information and processes, products, processes, processes, or services referenced in the policy.

Community management and accounting software (either online or software based)

The current service used is the PayHOA platform.

Community management company

Contact Robert Mendel, Community Manager, for all inquiries concerning ESBC.

Bighorn Management, LLC
Robert Mendel, Community Manager
215 Legion Way SW
Olympia, WA 98501
(360) 780-3279
info@bighornmanagement.com.

Complaint Form

The official Evergreen Shores Beach Club Homeowners Association complaint form is available for downloading at http://evergreenshores.org/Governing_Documents or on the PayHOA platform.

Governing Documents

This term is inclusive of the Restrictive and Protective Covenants for each of ESBC's four divisions (hereafter referred to as "Declarations"), the ESBC By-laws, and the ESBC Articles of Incorporation. These documents can be found either at http://evergreenshores.org/governing-documents or on the PayHOA platform.

Mailing address for checks written to pay ESBC charges, including annual assessments, amenity rentals, fines, administrative fees, and late fees:

Evergreen Shores Beach Club, PO Box 94046, Las Vegas, NV 89193-4046

ATTACHMENT 2 – SUBMITTING AND PROCESSING A COMPLAINT

I. Submitting a Complaint.

A. Use this complaint form. Use the official Evergreen Shoes Beach Club Homeowners Association form to submit a complaint. Information on accessing the form is found in Attachment 1.

B. Required information for a complaint includes:

1. Which elements of the governing documents have been allegedly been violated?
2. Specific facts that support the allegation that the Governing Documents have been violated. For instance, how many times the alleged violation has occurred, including dates and times, or how long the alleged violation has occurred, as well as any supporting documents or images related to the alleged violation.
3. Name, address, email, and telephone contact information for the member making complaint (hereafter referred to as complainant).
4. To the extent known, the name and address of the person(s) who allegedly violated the covenants (hereafter referred to as respondent).

C. Send the form by email to the community management company whose contact information is available on Attachment 1 of this document.

D. The Community Manager shall confirm receipt within 48 hours using the email contact information in the community management and accounting platform and explain the next steps.

E. The Community Manager shall send the complaint to the Board for review.

II. Evaluating a Complaint

A. Within 10 business days of receiving a complaint (or at the next Board meeting), whichever is sooner, the Board shall:

1. Decide if the complaint needs further investigation and assign someone to investigate. If more info is needed, the Community Manager shall contact the complainant.
2. Or reject the complaint and tell the complainant no action will be taken.

B. Investigations into complaints should be completed within 60 business days, but additional time to complete an investigation can be authorized by the Board.

C. If an investigation is done, the Board shall then decide within 10 business days:

    1. No violation occurred: The Community Manager informs the complainant that no action will be taken.
    2. Or a violation occurred: The Board shall enforce the rules as described below.

ATTACHMENT 3 – COMPLAINT FORM

Petitioner Information

Full name of person making complaint (Petitioner):	
Complainant Street Address:	
Complainant Telephone Number:	
Complainant Email Address:	

Responder Information

Full name of person or persons accused of violating an ESBC governing document (Responder):	
Responder Street Address:	
Responder Telephone Number (If known):	
Responder Email Address (If known):	

Specifics of the Complaint

Which elements of the governing documents (Declarations, By-Laws, Articles of Incorporation) have allegedly been violated?	
Specific facts that support the allegation that the Governing Documents have been violated.	

Make sure to address the following questions: When did the violation(s) occur? How many times has the alleged violation(s) occurred (including dates and times)? How long has the alleged violation(s) occurred? Are there supporting documents of images to back up the allegation that a violation has occurred? (Please also provide the supporting documents or images with your complaint).	
Have you contacted the respondent directly to try to get them to address the alleged violation? If so, when did that contact occur and what happened because of that contact?	
To the best of your knowledge are there any legal actions pending associated with the alleged violation(s)? (Please provide information about any legal actions you are aware of).	

Signature of Complainant

Date

Printed Name

ATTACHMENT 4 – SUMMARY OF THIS COMPLAINT AND ENFORCEMENT POLICY

Evergreen Shores Beach Club (ESBC)

Complaint and Enforcement Policy Quick Guide

Effective: January 1, 2026

Purpose

Defines how members report violations of ESBC governing documents (Covenants, By-Laws, Articles of Incorporation), how complaints are investigated, and penalties for non-compliance.

Who Is Effected By This Policy

All homeowners and lot owners in ESBC Divisions 1, 2, 2A, and 3.

Who Can File a Complaint?

Any member or the Board, using the official **Complaint Form**. Complaints must be signed, dated, and include facts, evidence, and relevant parties.

Complaint Process:

1. Submit form to Community Manager (acknowledged within 48 hours).
2. Board reviews within 10 business days and decides to investigate or reject.
3. Goal is to complete investigations within 60 business days.

Enforcement:

- Respondent notified within 5 business days.
- Options: comply with findings, request a hearing (final decision within 30 business days), or not respond (Board decision final).

- Violations can lead to repeated complaints.
- Progress on fixing violations generally required within 30 business days.

Fines:

- 1st & 2nd violations: warning
- 3rd violation: $300
- 4th+ violations: $450

Financial Responsibility:

Members must pay fines, damages, and any enforcement costs (attorneys, collections). Unpaid amounts may result in liens or legal action.

Confidentiality:

Complainant identity is kept confidential during investigation and enforcement.

Contact

Contact Robert Mendel, Community Manager, (360) 780-3279, info@bighornmanagement.com, for all inquiries concerning ESBC or this policy.