

**Bylaws of  
Sans Souci Homeowners' Association**  
Version 10/16/2018

**Article 1: Name**

The name of the organization shall be Sans Souci Home Owners Association, hereinafter referred to as The Association. It is a non-profit organization incorporated under the laws of the state of Colorado.

**Article 2: Goals and Purposes**

To serve and protect the interests of the Sans Souci mobile home owners and residents by creating a unified voice that seeks equitable solutions to concerns / issues facing the residents regardless of age, race, creed, religion, gender, disability, or financial status. The duties of the HOA are:

**2.1** To *represent* all of Sans Souci MHP homeowners, for their benefit in:

- a.** *negotiations* with outside parties, including, but not limited to the park owners and any managing agencies of Sans Souci MHP, potential lenders and organizers of a resident owned community and local and state government agencies.
- b.** *communication* with government agencies, local, state, and national MH owner organizations, non-profit organizations, businesses, media, relevant attorneys and legal services, and law enforcement, and fire department.
- c.** *participation* in local, state, and national MH owner organizations, and local and state government hearings.

**2.2** To *gather resident information*, regarding their interests, vulnerability, protected class status, treatment by management, police, or government, and so on, as needed and freely offered; in order to be able to represent the interests of the residents.

**2.3** To *help coordinate labor, tool, equipment, and material needs* of homeowners and residents, in order to respond to demands by park owners and managing agencies, as needed.

**2.4** To *gather and distribute information* to homeowners that is relevant to MH owners' issues, including, but not limited to: MH maintenance and upkeep advice, recommended service providers, mediation services, government services, MHP laws, government and legislative developments.

**2.5** To *conduct essential business*, such as holding regular and ad hoc meetings, collecting dues, distributing minutes, assigning roles, and so on, that are necessary for accomplishing the tasks above.

**2.6** *Limits.* The The Association will not make any park rules or regulations, nor impose fines, nor mediate disputes between homeowners or residents.

**First General Goal:**

To ensure thru negotiation with Sans Souci Park Owners and Management, with help and guidance from attorneys, a sufficiently equitable, fair, and reasonable set of rules and regulations that, unlike the current rules and regulations, respects:

- homeowners and residents' rights, importantly including their right to privacy, and against adverse entry.
- homeowners' financial investments in their homes and lots
- homeowners' personal labor investments in their homes and lots
- homeowners' emotional, psychological, and cultural investments in their homes and lots
- and the live-and-let-live culture and informal rules that have developed in Sans Souci over its long history, that homeowners have reasonable assumed, and relied upon, as a basis of moving in, investing in, developing, and staying in their homes and lots.

## **Article 3: Membership**

### **3.1 Classes of Members**

The The Association shall have two (2) categories 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.

Voting members shall consist of (a) resident homeowners and (b) long-term resident renters.

### **3.2 Qualifications for Members**

To qualify a household for membership, there shall be at least one (1) resident homeowner, who is listed on the lease, or a long-term resident renter; who is over the age of 18, and who lives in Sans Souci MHP. To qualify as a long-term resident renter household, at least one member of the household must have been renting and continuously residing in their residence for more than three (3) years, and have a financial or labor investment in their residence.

Persons currently employed by RV Horizons or future park owners can only be a nonvoting member and cannot be a board member. This does not include short-term temporary work.

### **3.3 Membership Dues**

Membership dues shall be \$10.00 per year per household. Dues shall be collected at the time of the Annual Meeting. Any household that has moved into the park less than 6 months before the Annual Meeting shall pay a due of \$5 for that shorter duration.

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 and will be documented into accounting.

### **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 May 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) board members, or no fewer than five (5) 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 a suitably accessible location in the 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 notify each member of the The Association of meeting location, date/time, and purposes(s) or agenda. Notification will be posted in a prominent, central location, and sent by email, phone or by written notification, as designated by the member.

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 a written request to announce a special meeting, unless at least 15 members state through petition that they can meet at an earlier date, or unless one-third (1/3) of the members object through petition that they cannot meet at the announced date, in which case a different date shall be sought. 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." At least ten members shall constitute a quorum. At least 10 must be present in order to hold a vote and if there are fewer, the meeting will be rescheduled.

### **3.10 Manner of Acting**

The vote of a majority of the voters (>50%) 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 on the agenda. Such proxy will be in writing by the voting member (or by their attorney-in-fact). Such proxy shall be filed with the Secretary of the 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.

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 Sans Souci homeowners. The activities, affairs, and property of The Association shall be managed, directed, controlled, and its powers exercised by and vested in the selected Board.

### **4.2 Number, Term, and Election**

The number of Directors, including the Executive Officers (President, Vice President, Secretary, Treasurer, Communications Director), shall be five, 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 four (4) of the five (5) Directors at a duly-held meeting of the Board, the notification 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 remove 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 can elect another person not on board already, 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 three (3) of the five (5) 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.

#### **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.

#### **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 or time incurred by the Directors in the performance of their duties.

#### **4.11 Titles and Qualifications**

The Executive Officers of The Association shall consist of the President and the Vice President. All other Board members are Officers.

#### **4.12 Election of Officers**

All of the The Association's Officers will be elected at a special meeting with at least 15 HOA voting member present, by a majority vote of such members for each Officer position.

#### **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. The secretary will do Meeting organization functions which includes scheduling meeting facilities, providing member signup forms.

#### **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 May.

#### **4.17 Communications Director**

It shall be the duty of the Communications Director to supervise and coordinate public relations, including but not limited to official communications between The Association and the press and other entities outside of Sans Souci MHP; and to perform other duties consistent with these Bylaws as may be assigned from time to time by the Board.

#### **4.18 Handling of Records**

The Record Keeper may be any one of the board members, except the Treasurer.

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 The 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 supercedes 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 Committee 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, and notes, of The Association shall be signed by a minimum of two (2) 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 being a voting member or elected to the board.

## 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 > 50% vote of the members of The Association. Minor changes may be made by a majority >50% 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.  
Last edit was 10/16/2018.

These Bylaws were adopted by the Board of Directors of The Association  
on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

President: \_\_\_\_\_

Vice President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

Communications Director: \_\_\_\_\_

Board Members At Large:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_