Policy Resolution #5-20 Real Estate Transfer Fee
West Hill Estates Homeowners Association (WHEHOA)
Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Real Estate Transfer Fees

WHEREAS, Article 2, Section 2.2(b) and (c) of the West Hill Estates Homeowners Association Bylaws states, in part:

"Powers. The Association has such powers and duties as may be granted to it by the Act, including each of the powers set forth in ORS 94.630, as the statute may be amended to expand the scope of association duties and powers, together with such additional powers and duties afforded by the Declaration, the Articles of Incorporation, these Bylaws and the Oregon Nonprofit Corporation Act, Including the following: (12) From time to time adopt, modify, or revoke such Policies and Procedures governing the conduct of persons and the operation and use of the Lots, the Common Maintenance Area or any Common Property as the Board of Directors may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the Property; (13) Enforcement by legal means of the provisions of the Declaration, these Bylaws and any Policies and Procedures adopted thereunder.
Governance: The affairs of the Association shall be governed by the Board of Directors as provided in these Bylaws. Owners have no authority to act on behalf of the Association and may take action with respect to affairs of the Association as specifically provided under the Declaration, these Bylaws, or the Act."

WHEREAS, Article 2 of Articles of Incorporation of West Hill Estates Homeowners' Association An Oregon Non-Profit Corporation filed with the Oregon Secretary of State on February 22, 1995, states in part:

"The purposes for which said corporation is organized are: To promote the health, safety and welfare of residents within the boundaries of WEST HILL ESTATES SUBDIVISION, and for this purpose . . . to fix assessments (or charges) to be levied against the property; to enforce any and all covenants, conditions and restrictions, and agreements applicable to the property; . . . and insofar as permitted by law, do any other things that, in the opinion of the Board of Directors, shall promote the common benefit and enjoyment of the residents of the properties."

IT IS RESOLVED, the Policy Resolution #5-20 Real Estate Transfer Fee be and hereby is adopted, ratified and confirmed:
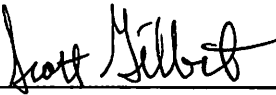
The Board of Directors hereby adopts Policy Resolution #5-20 Real Estate Transfer Fee, attached hereto as Exhibit A and by this reference incorporated herein.

The Board of Directors also repeals West Hill Estates Homeowners Association Policy Resolution #15-18 Transfer Fee adopted on June 28, 2018.

Duly adopted at a meeting of the Board of Directors of the West Hill Estates Homeowners Association held February 20, 2020. The Policy will be effective February 20, 2020.

Board of Directors 2019-2020	Vote
Scott Gilbert, President	Yes
Tom Gwynn, Vice President	Yes
Lorna O'Guinn, Treasurer	Yes
Doug Austin, Secretary	Yes
Sami Wright, member at large	Yes
Gudrun Hoobler, member at large	Yes
Steve Masten, member at large	Yes

ATTEST:

_____
Scott Gilbert, President

_February 20, 2020_____
(date)

_____
Doug Austin, Secretary

_February 20, 2020_____
(date)

Exhibit A:
Policy Resolution #5-20 Real Estate Transfer Fee
Interpretation of Bylaws, CC&Rs and Policy Resolutions Pertaining to Real Estate Transfer Fees

BACKGROUND (Bylaws Section 11.11)
The Bylaws allow the Board of Directors to impose a records update fee to cover the reasonable costs incurred by the Association when there is a change in Lot ownership.

PURPOSE
Since the transfer of property by an Owner imposes a work and cost burden on the Board, including but not limited to ensuring collection of assessments, revision of records, and providing appropriate information to new owners, a uniform transfer fee is established of $150.00 per transaction and is effective with any and all property transfers. The fee amount may be adjusted as needed by a majority vote of the Board of Directors.

Certified True Copy
Doug Austin
WHEHOA Secretary