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DATE: October 4, 2022 ACTION:

TO: Board of Directors

FROM: Member Services Manager

RE: APPROVAL – Revise Rule GR.2.9 No Malicious Mischief

# **Background**

Recently, the Association has experienced an increase in vandalism occurrences and associated costs. To discourage these unfavorable and costly events, CLPOA staff feel every individual present or involved in any act of vandalism should be held accountable for their actions. These individuals are afforded an opportunity to leave, stop the activity, or disassociate with the individual(s) responsible they choose not to do so.

# **Fiscal Impact**

# **Recommendation**

It is recommended that the Board of Directors approve to revise rule GC.2.9 as attached.

Amanda Moore, Member Services Manager

Amanda Moore

### **Current Rule**

#### **GR.2.9 No Malicious Mischief**

Malicious mischief (vandalism, graffiti): Every person who: (1) defaces with paint or any other material, (2) damages or (3) destroys or impairs any CLPOA property is in violation of this rule. The Prime Member will be assessed for all damages and the cost for clean-up, including labor and materials.

### **Proposed Revision (Redlined)**

#### **GR.2.9 No Malicious Mischief**

Malicious mischief (vandalism, graffiti): Every person who: (1) defaces, with paint or any other material, any CLPOA property; or (2) damages any CLPOA property; or (3) destroys or impairs any CLPOA property; or (4) aids and abets any of the foregoing (including being present during the event and encouraging its commission) is in violation of this rule. The Prime Member will be assessed for all damages and the cost for clean-up, including labor and materials. In addition to the fine set forth below, cost of damages, clean-up, labor, and materials incurred by CLPOA will be billed to the Prime Member of the residence from which the violator originated or is a guest or invitee of, or is an Associate or Sub-Associate as to. If multiple people are found to be at fault for the same incident, the cost of damages, clean-up, labor and materials incurred by CLPOA will be split equally among the responsible Prime Members, however, to deter vandalism, a \$1,000 fine will be imposed on each responsible Prime Member.

Fine amount: \$500 \$1,000 per occurrence, per individual in violation of this rule.

### **Revised Rule**

#### **GR.2.9 No Malicious Mischief**

Every person who: (1) defaces, with paint or any other material, any CLPOA property; or (2) damages any CLPOA property; or (3) destroys or impairs any CLPOA property; or (4) aids and abets any of the foregoing (including being present during the event and encouraging its commission), is in violation of this rule. In addition to the fine set forth below, cost of damages, clean-up, labor, and materials incurred by CLPOA will be billed to the Prime Member of the residence from which the violator originated or is a guest or invitee of, or is an Associate or Sub-Associate as to. If multiple people are found to be at fault for the same incident, the cost of damages, clean-up, labor and materials incurred by CLPOA will be split equally among the responsible Prime Members, however, to deter vandalism, a \$1,000 fine will be imposed on each responsible Prime Member.

Fine amount: \$1,000 per occurrence, per individual in violation of this rule.