



OPEN MEETING

REGULAR MEETING OF THE THIRD LAGUNA HILLS MUTUAL RESIDENT POLICY AND COMPLIANCE COMMITTEE

**Tuesday, August 22, 2023 – 9:30 A.M.
24351 El Toro Road, Laguna Woods, CA 92637
Board Room and Virtual with Zoom**

Laguna Woods Village owner/residents are welcome to participate in committee meetings in-person and virtually. To submit comments or questions virtually for committee meetings, please using one of following options:

1. Join the Committee meeting via Zoom at: <https://us06web.zoom.us/j/84903327041> or by dialing 669-900-6833 Access Code: 849 0332 7041
2. Via email to meeting@vmsinc.org any time before the meeting is scheduled to begin or during the meeting. Please use the name of the committee in the subject line of the email. Name and manor number must be included.

NOTICE AND AGENDA

This Meeting May Be Recorded

1. Call Meeting to Order
2. Approval of the Agenda
3. Approval of the Meeting Report for July 26, 2023
4. Remarks of the Chair
5. Member Comments (Items Not in the Agenda)
6. Response to Member Comments
7. Department Head Update
8. Items for Discussion and Consideration:
 - a. Disciplinary Violations Matrix
 - b. Vehicles, Traffic and Parking Rules – 7.12 Washing
 - c. Administrative Fee for Damage Reimbursement Cases
9. Future Agenda Items: *All matters listed under Future Agenda Items are items for a future committee meeting. No action will be taken by the committee on these agenda items at this meeting.*
 - a. Financial Qualifications to Own in the Village
10. Committee Member Comments
11. Date of Next Meeting – Wednesday, September 27, 2023 at 9:30 a.m.
12. Adjournment

*A quorum of the Third Board or more may also be present at the meeting.

Mark Laws, Chair
Blessilda Wright, Staff Officer
Telephone: 949-597-4254



**REGULAR OPEN MEETING OF THE THIRD LAGUNA HILLS MUTUAL
RESIDENT POLICY AND COMPLIANCE COMMITTEE**

Tuesday, July 26, 2023 at 9:30 A.M.
Board Room/Virtual Meeting
Laguna Woods Village Community Center
24351 El Toro Road, Laguna Woods, CA 92637

MEMBERS PRESENT: Mark Laws - Chair, Nathaniel “Ira” Lewis, Cush Bhada, Cris Prince and Jules Zalon

MEMBER ABSENT: None

ADVISORS PRESENT: Stuart Hack

ADVISORS ABSENT: Theresa Keegan

STAFF PRESENT: Blessilda Wright, Ruby Rojas and Carmen Aguilar

OTHERS PRESENT: **Third:** S. K. Park

1. Call to Order

Mark Laws, Chair, called the meeting to order at 9:31 a.m.

2. Approval of Agenda

Director Zalon made a motion to approve the agenda. Director Bhada seconded the motion.

By way of unanimous consent, the motion passed.

3. Approval of Meeting Report

Director Bhada made a motion to approve the June 27, 2023 meeting report with minor changes. Director Lewis seconded the motion.

By a vote of 4-0-1 (Director Prince abstained) the motion passed.

4. Remarks of the Chair

None.

5. Members Comments (Items Not on Agenda)

A member commented on a citation received and states Third rules should apply to all residents.

6. Response to Members Comments

Chair Laws responded to the members comments agreeing with the member that the rules should be enforced equally and equitably.

7. Department Head Update

None.

8. Items for Discussion and Consideration

a. Barbecue Grill Rules and Regulations

Chair Laws, presented the Barbecue Rules and Regulations Policy for discussion. The Committee discussed the matter and asked questions.

A member commented stating analytical data should to be assessed before enforcement of such policy.

A member commented recommending that members who grill, should also purchase fire-extinguishers for safety purposes.

Director Bhada made a motion to rescind Resolution 03-21-18 Barbecue Grill Rules and Regulations and allow three-story buildings (also known as the "Garden Villas Associations") to adopt a Barbecue Rules and Regulations Policy. Director Prince seconded the motion.

Director Zalon amended the motion to rescind the Barbecue Rules and Regulations with no specific provision for three-story buildings. Director Lewis seconded the motion.

By way of vote, 3-2-0 (Chair Laws and Director Prince voted No) the amended motion passed. The original motion failed.

b. Nuisance Policy regarding Noise

Chair Laws presented the Nuisance Policy regarding Noise matter for discussion. The Committee discussed the matter and asked questions.

A member commented regarding noise emanating from a neighboring member's water-fountain and states the Compliance Department should enforce continuous noise nuisance during non-quiet hours.

Committee members commented on the issue and stated it could be difficult to address. Director Prince made a motion to refer the specific matter to the Executive Hearings Committee for further consideration. Director Zalon seconded the motion.

By way of consensus, the motion passed.

c. Disciplinary Violations Matrix

Chair Laws, presented the Disciplinary Violations Matrix for the committee to review for relevance and updating. The Committee discussed the matter and asked questions. The committee directed staff to review the Disciplinary Violations Matrix and advise any updates if needed.

The committee elected to table the matter for next month's meeting.

Director Bhada left the meeting at 11:20 a.m.

d. Schedule of Monetary Penalties

Chair Laws, presented the Schedule of Monetary Penalties for discussion.

The Committee discussed the matter and asked questions.

A member commented about a vehicle being towed, a member with carport clutter and monetary penalties of \$2,000 is not enough for some violations.

Director Prince made a motion to update the monetary penalties of the minimum \$50 to a maximum \$2,000. Chair Laws seconded the motion.

By way of vote, 3-1-0 (Director Zalon voted No), the motion passed.

9. Items for Future Agendas

- a. Disciplinary Violations Matrix
- b. Financial Qualifications
- c. Vehicle, Traffic and Parking Rules – specifically Vehicle Washing

10. Committee Member Comments

None.

11. Date of Next Meeting

Tuesday: August 22, 2023 at 9:30 a.m.

12. Adjournment

With no further business before the Committee, the meeting was adjourned at 11:57 a.m.

Mark W. Laws

Mark W. Laws (Aug 2, 2023 16:57 PDT)

Mark W. Laws, Chair
Third Laguna Hills



STAFF REPORT

DATE: August 22, 2023
FOR: Resident Policy and Compliance Committee
SUBJECT: Disciplinary Violations Matrix

RECOMMENDATION

Review revised disciplinary violations matrix.

BACKGROUND

On July 20, 2004, the Board of Directors established a member-discipline process for the purposes of holding disciplinary hearings in a timely manner and ensuring progressive discipline. The Board of Directors is obligated to evaluate and impose if appropriate, member-discipline under its Bylaws and the California Civil Code.

On April 24, 2018, the Executive Hearings Committee developed a guideline outlining compliance matters that should be immediately scheduled for a disciplinary hearing (“fineable”) as opposed to be given a courtesy notice (“warn-able”). Matters that most adversely impact quality of life and/or public health and safety are categorized as immediately “fine-able” offenses that merit an immediate disciplinary hearing. Clutter on a patio was one example of a “warn-able” matter that would receive a courtesy notice.

The Executive Hearings Committee meets for four (4) hours on a monthly basis for damage restoration and disciplinary hearings. The Committee averages five (5) damage restoration hearings and five (5) disciplinary hearings per monthly meeting.

On June 27, 2023, the Resident Policy and Compliance Committee discussed the matter and tabled for review at next month’s meeting.

On July 26, 2023, the Resident Policy and Compliance Committee discussed the matter and came to a consensus to give the Compliance Division discretion on addressing allegations within Third’s rules and regulations. Staff advised the matrix allows for the board and staff to be on the same page when addressing allegations. The Committee directed staff to review the matrix and provide feedback. The matter was tabled for the next month’s meeting

DISCUSSION

Per the Committee’s directive the proposed Disciplinary Violations Matrix was reviewed. (Attachment 1). Staff reviewed the Disciplinary Violations Matrix and added two more allegations damage to mutual property without approval and nuisance visual.

FINANCIAL ANALYSIS

None.

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Rangel, Operations Manager

ATTACHMENT(S)

Attachment 1: Disciplinary Violations Matrix



Disciplinary Violations Matrix

Allegation	Schedule Hearing Immediately	Follow Normal Hearing Process
Abandoned Vehicle		X
Alterations - General Requirements		
Construction Hours		X
Debris		X
Expired Permit		X
Non-Compliance to Variance Request	X	
Damage to Mutual Property without Approval	X	
Use of Community Trash Bins		X
Alterations - Failure to Maintain		X
Animal Control		
Breeding Animals for Sale or Commercial Gain		X
Dog Barking		X
Injury to Person		X
Damage to Property		X
Not Picking Up and Disposing of Feces		X
Not Under Control (Off Leash / Leash Longer than 6 feet)		X
Caregiver Policy		X
Clutter Violations		X
Balcony		X
Breezeway		X
Carport		X
Common Area		X
Interior		X
Patio		X
Illegal Business		X
Landscape Violations		X
Manor Maintenance and Repair		
Major (Fire, Safety, Health Hazard)	X	
Minor (Broken Blinds, Visible Repair Needed, etc)		X
Non-Payment of Assessments		X
Non-Payment of Chargeable Services		X
Nuisance - Behavior / Disturbance		
Assault, Theft		X
Trespassing	X	
Yelling		X
Nuisance - Noise		X
Nuisance - Odors		X
Nuisance - Others		X
Nuisance - Visual		X
Non-Smoking Policy		X
Temporary Container Policy		X
Traffic Rules		X
Unauthorized Occupancy		X
Vehicle Oil		X



STAFF REPORT

DATE: August 22, 2023
FOR: Resident Policy & Compliance Committee
SUBJECT: Vehicle, Traffic and Parking Rules – Rules for Parking, Washing

RECOMMENDATION

Review and file.

Should the Committee desire to change the policy, staff recommends the following language:

Washing

In the interest of water conservation, vehicle washing using a continuously running hose is prohibited. Washing using a bucket, or similar container, is allowed.

BACKGROUND

In 1972, the Board of Directors created vehicle, traffic, and parking rules. Since its adoption the rules have been changed numerous times and renamed the Vehicle, Traffic and Parking Rules (the active Resolutions are 03-14-43, 03-15-42, 03-17-152, 03-19-50, and 03-19-85). The Vehicle, Traffic and Parking Rules provide residents, guest and vendor the rules for driving and parking to promote safety of the Community.

On July 26, 2023, the Resident Policy and Compliance Committee inquired on any rules associated with car washing and requested the topic be added to future agenda items.

The current Vehicle, Traffic and Parking Rules, Section 7.12, Rules for Parking, Washing states:

Washing

In the interest of water conservation, vehicle washing is prohibited.

DISCUSSION

The Committee requested to review of the vehicle washing portion of the policy.

FINANCIAL ANALYSIS

Prepared By: Blessilda Wright, Compliance Supervisor

Reviewed By: Francis Gomez, Operations Manager



STAFF REPORT

DATE: August 22, 2023
FOR: Resident Policy and Compliance Committee
SUBJECT: Revised Damage Reimbursement Administrative Fee

RECOMMENDATION

Discuss revising the current Damage Reimbursement Administrative Fee policy, Resolution 03-18-157, and provide direction to staff.

BACKGROUND

Per Civil Code §5855, the Board is required to hold hearings to “impose a monetary charge as a means of reimbursing the association for costs incurred by the association in the repair of damage to common area and facilities caused by a member or the member’s guest or tenant.”

In 2018, the Third Board approved a resolution that allowed a 10 percent fee to be imposed in addition to the reimbursement charge for damage reimbursement cases exceeding \$1,000, where the member is found to be at fault (Attachment 1).

DISCUSSION

In 2023, staff has processed 23 damage reimbursement cases for review by the Executive Hearings Committee. These 23 cases total \$101,916, ranging from \$66.95 to \$17,030, with an average cost of \$4,431.

The administrative costs for staff to evaluate the damage that has occurred, ensure invoice payment processing, prepare notification documents, communicate with the member, and compile the data to be presented at the monthly Executive Hearings Committee meeting are the same regardless of the reimbursement amount.

Staff seeks direction from the Committee on the possibility of revising the Damage Reimbursement Administrative Fee policy so that the 10 percent fee will be applied to all damage reimbursement cases.

FINANCIAL ANALYSIS

The additional fee revenue will help offset existing administrative costs in operations.

Prepared By: Laurie Chavarria, Senior Management Analyst

Reviewed By: Manuel Gomez, Maintenance and Construction Director
Bart Mejia, Assistant Director
Jay Allen, Damage Restoration Manager

ATTACHMENT(S)

Attachment 1: Existing Resolution 03-18-157

RESOLUTION 03-18-157
ADMINISTRATIVE FEE FOR DAMAGE REIMBURSEMENTS

WHEREAS, pursuant to Civil Code §5855, the Mutual is required to hold hearings to impose any monetary charges to reimburse the Mutual for costs incurred in the repair of damage to common area or facilities caused by the actions or inactions of a member, his or her tenant, guest, invitee, or vendor;

WHEREAS, significant staff time is necessary to investigate, document, and prepare concise reports for Damage Reimbursement Hearings for damage caused by a member; and,

WHEREAS, the Mutual has seen an increase in administrative costs related to these damage reimbursement proceedings.

NOW THEREFORE BE IT RESOLVED, November 29, 2018, that the Board of Directors hereby adopts the Damage Reimbursement Administrative Fee;

RESOLVED FURTHER, effective December 1, 2018, the fee for costs related to damage reimbursement proceedings will be ten percent of the total reimbursement decision amount for all decisions of one thousand dollars or more;

RESOLVED FURTHER, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

SEPTEMBER 18, 2018 INITIAL NOTIFICATION

30-day notification to comply with Civil Code §4360 has been satisfied.

Director Bruninghaus made a motion to adopt a resolution for an Administrative Fee for Damage Reimbursements. Director Chao seconded the motion.

Discussion ensued among the Directors.

President diLorenzo called for the vote and the motion passed by unanimous consent.