



Laguna Woods Village®



Landscape Maintenance Manual

Third Laguna Hills Mutual

Revised December 2025

This manual is an informative guide meant to provide information to residents on how landscaping and related programs are managed in Laguna Woods Village. It is a resource to assist residents in understanding how landscaping is maintained and what landscaping-related tasking Third Mutual permits residents to perform around their residences.

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FOR MORE INFORMATION

lagunawoodsvillage.com/services/landscaping

VILLAGE LANDSCAPE OVERVIEW

Laguna Woods Village is an active senior residential community of 3.8 square miles with more than 640 acres of maintained landscape. The urban forest within the Village includes nearly 33,000 trees, of which more than 30,000 are maintained by Third Mutual (mutual/the mutual). All landscaped areas are maintained by Village Management Services Inc. (managing agent). Irrigation water for the landscape is provided by El Toro Water District, which delivers both potable and recycled water to Village irrigation systems.

Landscaping crews perform turf area maintenance on a seasonally adjusted cycle, which varies every week to every three weeks, depending on the time of year. Crews typically prune slopes and shrubs annually and perform more frequent light trimming on a quarterly cycle. During summer months, they focus on turf maintenance with only light maintenance of shrub beds. In the cooler months, their focus returns to shrub beds with crews visiting the residential buildings more often.

Clubhouses and other community facilities receive more frequent landscape and grounds maintenance to maintain the appearance of these high-use facilities.

Trees are inspected and trimmed on a five-year species-based cycle. Some tree species require more frequent trimming than others. For example, carrotwood and mulberry are trimmed every two years and magnolias and some pines every five.

Computer-controlled irrigation systems use an onsite weather station to adjust watering to meet plant needs based on current weather conditions. Water conservation has become a way of life in the Village, with many turf reduction projects completed each year and high water-using plantings converted to water-efficient and/or California-friendly plant choices. Planters and open areas are topped with mulch to improve the soil, reduce moisture loss and to return nutrients back to the environment.

All green waste generated from the maintenance of Village landscaped areas and trees is composted onsite and returned as mulch, resulting in nearly 100% recycling.

Schedules, scope of work and maintenance methods are subject to change.

Landscaping Services Department Contact Information

For landscaping requests or concerns, or to contact staff, email residentservices@vmsinc.org or call 949-597-4600.

For scheduling information visit
lagunawoodsvillage.com/services/landscaping

THE ROLE OF THE LANDSCAPING SERVICES DEPARTMENT

What the Landscaping Services Department DOES Perform

1. Communicate schedules for various landscape maintenance activities for each mutual on the Village website at lagunawoodsvillage.com/services/landscaping.
2. Provide periodic mowing and edging of turf, based on seasonal needs.
3. Provide periodic pruning of shrubs and trees in planters and on slopes in common areas.
4. Fertilize turf and shrub areas when appropriate.
5. Manage pests through integrated pest management techniques and the application of the least toxic materials available to control insects, weeds, diseases and rodents.
6. Address trees, shrubs or other plant materials that are not performing well. Remove and replace trees and shrubs as needed.
7. Schedule and maintain irrigation systems to provide sufficient moisture for plant health, reduce water waste and meet state and/or local water conservation mandates.
8. Collect and process green waste into mulch or compost common-area landscape use.
9. Remove debris from walkways during scheduled mowing and landscape maintenance programs.

What the Landscaping Services Department DOES NOT Perform

1. Substitute, rearrange or change basic landscaping at individual resident requests.
2. Change the irrigation system by adding or altering equipment at individual resident requests.
3. Set irrigation system schedules to comply with individual resident requests.
4. Maintain or help maintain plantings in a private patio or other exclusive-use common area.
5. Permit any member of a landscaping maintenance crew to provide personal gardening services to residents.

Turf Maintenance

Turf maintenance responsibilities consist of approximately 165 acres in Third Mutual.

Turf maintenance consists of the following:

- Cutting grass using mulching mowers, which cut the grass into fine particles and leave them in place.
- Mulching grass to further reduce fertilizer requirements by recycling nutrients stored within grass clippings, reducing labor and materials costs. Grass mulching also greatly reduces costs by eliminating the need to bag and dispose of waste.
- Mowing all turf areas, scheduled per seasonal growth requirements.
- Edging sidewalks and trimming turf edges every other mowing cycle.
- Blowing mowing-generated debris off of hardscape.
- Repairing and reseeding turf as needed and/or requested, mostly in cooler months due to water requirements of new plantings.
- Responding to nonchargeable resident requests pertaining to turf maintenance such as leaf cleanup, reseeding, etc.

The mowing cycle schedule is adjusted seasonally throughout the year to respond to growing conditions. During summer growing months, the mowing cycle may be completed every seven to nine days. During spring and fall, slower turf growth allows for a cycle approximately every nine to 14 days. During winter, intervals of 14 to 21 days are common. During periods when mowing cycles are extended, staff time is directed to other tasks that are more appropriate for that season, such as planting and turf repairs, or tasks that may not be seasonally driven, such as

mulch application. Turf repair slows in the summer and is usually done only in emergency situations due to the increased water and care needed to establish new growth during the heat of summer.

Shrub-Bed Maintenance

Crews perform shrub-bed maintenance on approximately 83 shrub-bed acres in Third Mutual. Shrub-bed maintenance consists of:

- Selective pruning, rather than shearing, which is practiced on most woody perennials, leaving the plant with more blossoms, a more natural appearance and less new growth.
- Raking and removing trimming debris and dead plant material.
- Weeding, both chemically and mechanically, using mutual-approved safe herbicides. No RoundUp is used in the community.
- Mulching with mulch made on-site with green waste produced within the community. Using mulch produced from waste generated on-site, in addition to the big cost savings in waste hauling and mulch purchases, reduces the introduction of new weeds and pests into the community. Replanting of unhealthy and dead plant material with plant stock grown in our own on-site nursery.
- Edging turf adjacent to sidewalks, done in alternate weeks coinciding with the turf maintenance program.

Landscaping crews visit each building four times a year. Service levels for the maintenance cycle performed by staff are based as closely as possible to seasonal requirements; less shrub-bed maintenance is done during summer while staff focuses on turf maintenance. Shrub-bed maintenance frequency increases during cooler months. Grounds maintenance staff is responsible for the installation of replacement plantings due to failure of the existing material, overgrowth of existing plants or damage to plants during painting or building repair work.

Irrigation

The irrigation work center oversees irrigation controllers in Third Mutual. A central irrigation computer manages these controllers and determines and transmits all necessary scheduling information to them via cellular networks. The system is weather sensitized and adjusts watering schedules based on daily fluctuations in plant evapotranspiration rates. It also adjusts to accommodate water conservation and water supply shortage ordinances, and grounds maintenance work.

Crews regularly perform system checks of the entire community to evaluate the operation of the system and to troubleshoot and repair any damaged or failed irrigation equipment. If you notice irrigation leaks or dry spots, contact Resident Services at 949-597-4600 or residentservices@vmsinc.org during normal business hours.

Portions of the irrigation system are the original design that was installed when the community was developed. Areas of poor coverage and low water pressure still exist because of the age of those portions of the original system. The purpose of spot retrofitting is to replace and improve areas of the original irrigation system by redesigning and replacing irrigation system hardware, including piping, sprinklers and valves. Crews usually complete shrub-bed maintenance spot-retrofit work after removing old plants and before planting new ones in areas where the renovation program has not been completed or to prevent irrigation runoff to storm drains.

THE ROLE OF THE RESIDENT

All grounds outside the walls of a building, a contiguous patio or in the atriums of the Garden Villa buildings, are common landscape property and fall under the rules and regulations stated herein, unless they are an approved alteration. Now let's look at residents' responsibilities.

To assist residents in their role and responsibility in helping to keep Village landscaping looking its best, residents must:

- Submit a landscape request form with a planting plan, including plant species, for any proposed planting or any alteration of any common area to the Landscaping Services Department for review and written approval prior to making any changes. Failure to do so may result in citation, fines and financial reimbursement of any costs associated with the restoration of mutual landscaping. Do not submit a landscape request form for maintenance requests or plant replacement. Instead contact Resident Services during normal business hours at 949-597-4600 or residentservices@vmsinc.org.
- Obtain signatures on the landscape request form indicating approval from **all neighbors directly affected by your request** for all proposed changes to the existing landscape. Common areas belong to everyone.
- Maintain any plantings that have been accepted as nonstandard landscape, including fruit trees. Residents are responsible to maintain all such landscape materials.
- Notify Landscaping Services if you cannot or do not wish to continue to maintain nonstandard landscape. The nonstandard landscaping may be removed and replaced as a chargeable service.
- Notify Landscaping Services if you cannot maintain any fruit trees (fruit tree policy page 16) for which you are responsible. These can be removed at no cost to the member.
- Notify Landscaping Services if you do not wish to have specific plants, shrubs or small patio trees adjacent to your manor cultivated, pruned or maintained by Landscaping Services. The program is initiated through Resident Services as a request to meet with a landscape supervisor to evaluate the practicality of the request.
- Do not plant/alter or have your gardener plant/alter any common area, including slopes, clear areas around trees or in the turf of the common area. These areas are not available for private maintenance. Fencing, rocks, art or other items shall not be placed in common areas without written approval.
- Do not remove plantings without approval from Landscaping Services.
- Do not place materials such as stepping stones (stepping stone policy page 17), edging materials, potted plants, statuary or any other item (including hoses, hose reels, patio furniture, etc.) in common areas. These items interfere with landscape maintenance operations and may create a safety hazard. Landscaping Services will remove them as a chargeable service to the member responsible for their unauthorized placement.

If you would like to request services outside the routine maintenance provided, Landscaping Services may be able to assist you. If you are unsure whether your request falls into this category, please contact Resident Services during normal business hours at 949-597-4600 or residentservices@vmsinc.org to initiate the process.

MEMBER-MAINTAINED LANDSCAPING (YELLOW STAKE PROGRAM)

The former yellow stake program, which ended for Third Mutual in September 2018, provided an option for residents to install and maintain the planting areas immediately adjacent to their manor, either personally or through an outside maintenance service. Although the program has ended, residents are still required to maintain the plantings. Full responsibility includes, but is not limited to, fertilizing, pruning and removing plant waste/debris.

The mutual may intercede if the appearance or care level of the private plantings is considered substandard, or if any dispute between residents arises. Landscape continues to be considered common property and member-maintained landscape privileges may be revoked. Failure to maintain private plantings will be subject to removal and replanting with standard landscape material. This work will be accomplished after notice to the member and will be completed as a chargeable service.

All new requests for approval of personal plantings require approval by the landscape committee via the landscape request form (sample page 11).

This responsibility does not end upon transfer of a unit. The seller must disclose the yellow stake or private plantings as an alteration and formally obtain acceptance from the buyer prior to close of escrow. If the buyer does not accept responsibility, the seller must restore the area to standard planting prior to close of escrow. If the buyer accepts the member-maintained yellow stake program, they will be bound by all the rules governing the previous owner.

Contact Landscaping Services at 949-597-4600 or residentservices@vmsinc.org with questions.

USE OF PRIVATE GARDENERS, LANDSCAPERS AND PEST CONTROL OPERATORS

Members must maintain the landscaping within their exclusive-use common area. If a member hires an outside provider for any authorized work, they must confirm that the person or company is insured for workers' compensation, liability and auto prior to initiation of work. Residents considering the use of private gardeners should check references to ensure they are reliable and experienced.

Only authorized employees or contractors of the managing agent may access, alter or operate the mutual-owned irrigation systems or any water source not metered directly by the affected unit. No gardeners, landscapers or other vendors hired by the resident may access water sources or make any changes to mutual-owned sprinklers. Unauthorized use of water or alterations made to irrigation systems is prohibited and may result in citation, fines and financial reimbursement of any costs associated with the repair or restoration of mutual irrigation equipment.

Similarly, no privately hired vendor may apply any fertilizers or pesticides (insecticides, snail bait, rodent bait, ant control materials, fungicides, etc.) or treat any area on the exterior portion of a unit or the landscape around it, without written permission from the managing agent. All proposed pest control operators and/or gardeners must provide copies of all licenses and insurance required by law when requesting approval prior to any application of materials.

TREE PROGRAM

Laguna Woods Village has a wide variety of large mature trees. These are a tremendous asset to the community and improve the quality of life for all residents. All tree maintenance is performed by Landscaping Services under the direction of a certified arborist.

Outside contractors and private gardeners who perform work for members within the community may not plant or prune any tree in common areas without the prior written approval of the mutual's landscape committee.

Inspection and trimming of Village trees is performed on a regular five-year species-based schedule, per International Society of Arboriculture standards. Trees are pruned whether they are original plantings or approved resident plantings. Member-maintained trees are not pruned or maintained.

Trees are removed by Landscaping Services only if they are dead, diseased, dying, pose a foreseeable risk of damage to property or injury to persons or are actively causing damage to buildings, structures or underground utilities, excluding irrigation. Trees will not be removed for dropping excessive litter (leaves, needles, flowers, fruit, cones, etc.). Trees will not be topped or removed to establish, increase or preserve views (see Tree Topping Resolution, page 14).

Members may request tree removal by contacting Resident Services to obtain a landscape request form or through the Laguna Woods Village website (see sample form, Mutual Landscape Request Form, page 11). The form must be completed in its entirety, including the **signatures of surrounding manor owners affected by the potential removal of the tree**. If the removal request does not meet the criteria outlined above, it will be sent to the mutual landscape committee for determination. If a tree removal is approved, it is typically removed within 60 days. Emergency situations are handled on a case-by-case basis.

Landscape committees are comprised of appointed directors from the governing board of the affected mutual. They will review the resident request and work to find a solution (see Mutual Landscape Request Form Sample for more information, page 11).

Tree Program FAQ

Q: What is the trimming cycle?

A: All trees will be trimmed on a rotating six-year species-based protocol. This protocol is in place to properly maintain both the beauty and health of the tree stock in the community. It is designed to reduce the foliage of the trees by 25%, thereby reducing off-schedule trimming requests and reducing storm damage to overgrown trees.

Q: What is the procedure for tree removals?

A: Members may request tree removal by submitting a landscape request form. Keep in mind, per the resolution, "unless there is a purposeful reason, trees should not be removed merely because they are messy, or because of residents' personal preferences concerning shape, color, size or fragrance. Trees should not be removed because of view obstruction."

Q: Who pays to remove the tree?

A: The landscape committee may approve the removal of a tree at the expense of the mutual or at the expense of the requesting party.

Q: Will the tree be replaced?

A: Following removal, a tree may be replaced if there is sufficient space and need. The landscape affected by the removal will be repaired and a replacement tree (if appropriate) will be replanted within 90 days of the removal of the tree. The cost would be borne by the mutual or the member/shareholder as determined by the landscape committee.

Q: Do I need to wait six years to have the tree by my unit trimmed?

A: Although the program is referred to as a five-year program, the majority of the trees are trimmed every two to four years. Off-schedule trimming may be provided if there is an emergency or urgent need; otherwise, trees are not trimmed until they are scheduled.

Q: Can I have the tree by my unit trimmed as a chargeable service?

A: Typically, tree trimming is not provided as a chargeable service. Unique situations will be considered by the arborist and the landscape committee on a case-by-case basis.

CHARGEABLE SERVICE PROGRAM

The chargeable service program provides limited, specialized/nonstandard services to community residents who supplement routine maintenance provided by Landscaping Services (see “The Role of the Landscaping Services Department,” page 4).

To request services in addition to those already listed, residents may contact Resident Services at 949-597-4600 or residentservices@vmsinc.org for a landscape supervisor to review the requested work and develop a cost quotation for resident approval.

Residents must not ask any member of a landscape maintenance crew for individual service. All requests must be made through Resident Services. Staff time is to be used for the benefit of all residents. Employees are not allowed to accept tips or to perform work during or after hours for individual residents.

WATER MANAGEMENT

Water should be used wisely and sparingly. In the Village, landscaped areas are irrigated with potable water (drinking-water quality) or recycled water (not suitable for consumption). Do not consume irrigation water. Do not water plants by hose; use a watering can. Third Mutual must limit the exterior watering of outside personal plants using potable water from exterior-mounted hose bibs using a hose or other methods to Wednesdays and Sundays only. No watering of common area plant material is permitted at any time from exterior mounted hose bibs (see page 20). State law prohibits the use of water to wash patios, sidewalks or other hard surfaces. Ensure an automatic shutoff nozzle is affixed to your hose.

Residents must comply with all legal directives from the State of California, El Toro Water District, Laguna Woods Village or other agencies with authority to impose water conservation mandates or restrictions during periods of drought. Any water use restrictions will be posted on the Village website at www.lagunawoodsvillage.org.

Do not tamper with sprinklers or irrigation controllers (timers), or access mutual water sources. To report dry landscape, water leaks, damaged sprinklers or other problems with irrigation systems, please contact Resident Services at 949-597-4600 or residentservices@vmsinc.org. For emergency service after 4 p.m. on weekdays or on weekends, call Security Services at 949-580-1400.

Patios are exclusive-use common areas, but occasionally may be the only source of water for Landscaping Services staff to use when installing new plants. Crews are instructed to be considerate of residents' privacy and property. However, when necessary, staff must be allowed access to all exterior water sources, which may include those in exclusive-use common areas.

SAFETY

Safety is the number one priority in the Village. Your assistance is vital to keeping the areas around manors free of hazards. Participate in keeping your neighborhood safe by reporting problems such as:

- Raised or broken concrete walkways or driveways
- Holes in turf areas
- Low-hanging or broken tree branches
- Foliage or branches close to fireplace chimneys or brushing against windows, eaves or roofs
- Inappropriately placed objects on sidewalks, balconies or patio walls, such as statuary, pots, hanging plants or vines
- Excessively wet areas or persistent ponding water
- Any item blocking an exit, stairwell or other pedestrian path of travel

If you become aware of any potential safety hazard, please notify Resident Services at 949-597-4600 or residentservices@vmsinc.org. For emergency service after 4 p.m. or on weekends, call Security at 949-580-1400.

REQUEST FORMS AND APPEAL PROCESS

If you would like to request a change to the plants around your manor, please request assistance from your landscape supervisor by contacting Resident Services at 949-597-4600 or residentservices@vmsinc.org.

Your area supervisor will either authorize the changes or advise you that your request will require approval from the mutual's landscape committee and a landscape request form must be filled out (see sample page 13). The committee may visit your unit prior to deciding on your request. Once the committee reaches a decision, they will present it to your mutual's board of directors for action. You will be notified in advance of such meetings. You may appear in person at that time, should you wish to speak on your behalf.

MUTUAL LANDSCAPE REQUEST FORM

PLEASE NOTE: THIS FORM IS NOT INTENDED FOR ROUTINE MAINTENANCE REQUESTS

For all non-routine requests, please fill out this form. Per the policy of your Mutual, if your request falls outside the scope of the managing agent's authority, it will be forwarded to the Mutual's Landscape Committee for review. If you are unsure whether your request falls into this category, first contact Resident Services at 597-4600 in order to make that determination.

PLEASE RETURN COMPLETED REQUEST FORM TO RESIDENT SERVICES.

Resident/Owner Information

You must be an **owner** to request non-routine Landscape requests.

Address _____

Today's Date _____

Resident's Name _____

Telephone Number _____

Non-Routine Request

Please checkmark the item that best describes your request. If none apply, please checkmark "Other" and explain.

- ☐ Tree Removal
 ☐ Off-Schedule Tree Trimming
 ☐ Plant Replacement
- Other (explain): _____

Reason for Request

Please checkmark the item(s) that best explain the reason for your request.

- ☐ Structural Damage
 ☐ Sewer Damage
 ☐ Overgrown
 ☐ Poor Condition
- Other (explain): _____

GUIDELINES:

- **Structural/Sewer Damage:** Damage to buildings, sidewalks, sewer pipes, or other facilities may justify removal if corrective measures are not practical.
- **Overgrown/Crowded:** Trees or plants that have outgrown the available space may justify removal.
- **Damaged/Declining Health:** Trees or plants that are declining in health will be evaluated for corrective action before removal/replacement is considered.
- **Litter and Debris:** Because all trees shed litter seasonally, this is not an adequate reason to justify removal.
- **Personal Preference:** Because one does not like the appearance or other characteristics of the tree or plant does not justify its removal.
- **View Obstruction:** Trees will not be off schedule trimmed or removed due to view obstruction.

By signing below, you acknowledge that your request meets the established conditions.

Initial here: _____

Description & Location of Request

Please briefly describe the situation and the exact location of the subject of the request (e.g., "roots of pine tree in front of manor XYZ are lifting the sidewalk"). **Required to attach pictures, plant preference, and designs.**

Signatures of All Neighbors Affected By This Request

Because your request may affect one or more of your neighbors, it is imperative that you obtain their signatures, manor numbers, and whether they are for, undecided, or against this request.

Signature	Manor #	For	Undecided	Against

Acknowledgement - Owner

By signing, you are acknowledging this request.

Owner's Signature _____

Owner's Name _____

OFFICE USE ONLY

MOVE IN DATE: _____ WC 530 ____ 540 ____ 570 ____
LAST PRUNED: _____ NEXT PRUNE: _____ TREE ID# _____
TREE VALUE: \$ _____ TREE REMOVAL COST: \$ _____
OFF-SCHEDULE TRIM COST: \$ _____
TREE SPECIES: _____
COMMENTS _____

Exhibit A

Landscaping Resolutions and Policies

RESOLUTION - Tree Maintenance Policy

Resolution 03-21-10 – Third Laguna Hills Mutual

WHEREAS, pursuant to the Governing Documents of Third Mutual, the Board of Directors is responsible for the management and upkeep of the common areas within, including the landscaping and trees;

WHEREAS, Third Mutual maintains over 12,000 trees with 224 different species, each having different growth rates;

WHEREAS, the Mutual adopted Resolution 03-19-06, Five-Year Species-Based Tree Trimming Policy, as the most efficient manner in which to maintain the Mutual's tree inventory and resources;

WHEREAS, under the policy, trees are maintained on a rotating five-year schedule with fast growing species trimmed as often as every two years and slower growing species are trimmed at five-year intervals;

WHEREAS, the Mutual receives numerous requests annually to trim or remove trees at intervals that differ from those set forth in the policy, and;

WHEREAS, Staff proposes the attached Tree Trimming Policy as a standard for staff and the Board to use when evaluating off-schedule requests for tree maintenance services.

NOW THEREFORE BE IT RESOLVED, effective February 16, 2021, that the Board of Directors of this Corporation hereby establishes the Tree Maintenance Policy attached to this resolution;

RESOLVED FURTHER, Resolution 03-18-58, adopted May 4, 2018, and Resolution 03-11-149 adopted September 20, 2011, are hereby superseded in their entirety and no longer in effect;

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

TREE MAINTENANCE POLICY

Tree Topping

No trees shall be topped, with the following exceptions:

- Staff would be authorized to top a tree to treat or eliminate an insect or disease infestation.
- Staff would be authorized to top a tree that has already been topped and is deemed to not be a candidate for restoration trimming.

Trees shall not be topped to preserve, enhance or create a view.

Tree Trimming

Tree trimming is scheduled on a species-based five-year schedule; any tree trimming request outside of this schedule shall be considered off schedule.

- Off-schedule trimming shall not be considered to remove or reduce litter or leaf drop or to mitigate a nuisance.
- Trimming, whether on or off schedule, shall not be considered to preserve, enhance or create a view.
- Off-schedule trimming requests will be reviewed by a staff arborist and, if necessary, referred to the committee.
- Trimming requests for clearance to buildings or damage to infrastructure shall be performed at no cost to the owner.
- Off-schedule requests approved for the convenience of the requestor shall be performed as a chargeable service.

Tree Removal

Unless a purposeful reason exists, trees should not be removed merely because they are messy or because of residents' personal preferences concerning shape, color, size or fragrance.

- Trees shall not be removed to preserve, enhance or create a view.
- Trees that are damaging or will damage a structure, pose a hazard, diseased, in failing health or interfering with neighboring trees, will be considered for removal.
- Removal requests will be reviewed by a staff arborist and, if necessary, referred to the committee.
- Staff would be authorized to evaluate stands of trees in selected areas and recommend the selective removal of certain trees within the grouping while still preserving the overall look and intent of the grouped plantings. The Landscape Committee shall consider such recommendations.

Fruit-Tree Maintenance

Fruit-tree maintenance is the sole responsibility of the owner.

In order to reduce the attraction to rodents, fruit trees shall be maintained in the following manner:

- Ripe fruit shall be promptly harvested and not allowed to remain on the tree.
- Fallen fruit shall be promptly cleaned up and disposed of in closed containers.
- All tree limbs and foliage shall be maintained at 3 feet above ground level and provided adequate clearance for maintenance equipment and personnel.
- Rodent guards shall be installed on the lower 24 inches of the trunk.

If an owner is unable to properly maintain a fruit tree, the mutual will remove it at no cost to the owner.

RESOLUTION - Fruit Tree and Vegetables Policy

Resolution 03-25-176 – Revised November 18, 2025 – Third Laguna Hills Mutual

WHEREAS, fruit trees in the Common Area were planted by or at the request of Members as part of the discontinued “Yellow Stake” program; and

WHEREAS, fruit trees are not maintained or trimmed by the Mutual and are the responsibility of the Member to maintain; and

WHEREAS, the maintenance of fruit trees is passed on to new Members with the purchase of the residence; and

WHEREAS, fruit trees and vegetable gardens are a well-known attraction and food source for wildlife and rodents, and unmaintained fruit trees exacerbate the problem; and

WHEREAS, two Garden Centers have been provided by the Golden Rain Foundation for the purpose of providing a place for residents to grow vegetables or other crops; and

WHEREAS, there has been a consistent increase in rodent and wildlife activity;

NOW THEREFORE BE IT RESOLVED, November 18, 2025, that the Board of Directors of this Corporation hereby prohibits the planting of any fruit trees in Common Area and requires Members to maintain existing fruit trees in the Common Area and in Exclusive Use Common Areas; and

RESOLVED FURTHER, the planting of vegetables in the Common Area is prohibited; and

RESOLVED FURTHER, that the managing agent is hereby authorized and directed to remove any vegetable plants found planted in the Common Area; and

RESOLVED FURTHER, to maintain the health and safety of the Members, fruit trees found to be unmaintained will be removed, with notice, by the Mutual; and

RESOLVED FURTHER, existing fruit trees in the Common Area are to be removed in the resale process; and

RESOLVED FURTHER Resolution 03-23-146, revised September 19, 2023, is hereby superseded in its entirety and no longer in effect; and

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

RESOLUTION - Stepping Stone Policy and Guidelines

Resolution 03-23-112 – Adopted October 17, 2023 – Third Laguna Hills Mutual

WHEREAS, on January 16, 2007, that the Board of Directors adopted Resolution 03-07-02 Approval to Revoke Alteration Standard Section 36 – Stepping Stones; and

WHEREAS, Resolution 03-07-02, revoked the standard for stepping stones and required a variance application to the Architectural Committee; and

WHEREAS, the Landscape Committee determined that stepping stones are temporary in nature and are placed within common area landscaping; and

WHEREAS, the Landscape Committee determined that requiring a landscape request form application may unduly restrictive during the resale process and could be simplified by landscape management review;

NOW THEREFORE BE IT RESOLVED, October 17, 2023 the Board of Directors introduces the change from mandatory landscape request form and consideration thereof shall be performed by Landscape Management; and

RESOLVED FURTHER, all new stepping stone installations shall be performed following the attached Stepping Stone Guidelines and all existing stepping stone installations not previously approved by Variance or Standard shall be reviewed by landscape management staff for adherence to the Stepping Stone Guidelines; and

RESOLVED FURTHER, all existing stepping stone installations not previously approved by Variance or Standard, and found not in adherence to the Stepping Stone Guidelines may be reviewed through the landscape request form process; and

RESOLVED FURTHER, Resolution 03-22-17, adopted February 15, 2022, is hereby superseded in their entirety and no longer in effect; and

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

Stepping Stone Guidelines

The member applying for a landscape variance shall provide to the Landscaping Services Department a landscape request form with detailed plan(s), for approval, indicating all work to be done, i.e., size, location, description and specifications.

PREPARATIONS

- Stepping stones shall not be used to create a new path across common area for access to exclusive use patios, courtyards or parking areas.
- No stepping stones will be allowed that will hinder yard drainage.
- In no case will stepping stones cover over sprinklers, sprinkler lines, or other related items.
- Stepping stones may not hinder access by maintenance crews.
- Stepping stones will not be allowed farther than four feet from the walls of the manor.

No stepping stones will be permitted in the grass.

- Stepping stone layout will only be permitted to provide access from a point of ingress/egress to a hose bib, an existing patio gate or opening and/or personal plants.

APPLICATIONS

- Stepping stones should be constructed of concrete. No wood or degradable products.
- All stepping stones must have a non-slip/non-skid surface.
- All stepping stones must have a minimum diameter or width of 12 inches.
- Stepping stones should be spaced no more than eight inches apart.
- The layout created with the stepping stones should be no greater than two feet wide.
- No decorative material may be used to fill in the spacing between stepping stones (i.e. gravel, pebbles, etc.)

RESOLUTION - Installation of Pavers, Gravel, Decomposed Granite and Stepping Stones

Resolution 03-09-108 – Adopted September 15, 2009 – Third Laguna Hills Mutual

WHEREAS, the re-landscaping program is leading to the removal of narrow strips of grass between driveways, along some walkways, and between manors; and

WHEREAS, due to the slope of some of these areas, the perimeters require soil retention measures, which is mitigated by way of a standard low height mortarless block wall; and

WHEREAS, the current soil retention measures made necessary by the re-landscaping program are creating concerns about reduced accessibility on driveways, walkways, and between manors, and the Mutual does not have a policy addressing the reduced accessibility as a result of the re-landscaping program.

NOW THEREFORE BE IT RESOLVED, September 15, 2009, that the Board of Directors hereby adopts a policy to allow for the installation of pavers, gravel, decomposed granite, and stepping stones as part of the re-landscaping program for soil retention in areas not to exceed 300 square feet; and

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

RESOLUTION - Dry Rot

Resolution M3-87-13 – Adopted March 17, 1987 – Third Laguna Hills Mutual

Out of concern that potted plants and other moisture retaining objects placed directly on decks, breezeways or balcony surfaces of buildings managed by this corporation contribute directly to dry rot and other damage, the board of directors hereby prohibits their placement on these surfaces unless these objects are placed on a water-resistant surface designed to prevent moisture from reaching the decking, breezeway or balcony surface on which it is placed.

RESOLUTION - Plants and Limited Common Area Walls Policy

RESOLUTION 03-14-106 – Adopted October 21, 2014 – Third Laguna Hills Mutual

WHEREAS, Mutual members have installed vines and plants that impede maintenance access to walls surrounding exclusive use patio areas; and

WHEREAS, the Mutual notifies Mutual members of the need to remove the plantings to facilitate maintenance of wood, stucco, and block walls in conjunction with various Maintenance programs; and

WHEREAS, the Mutual desires to establish a policy whereby Mutual members can be permitted to retain vines and plants only on block walls surrounding exclusive use patios, and not wood and stucco walls, with the condition the requesting Mutual members be responsible for all future maintenance and repairs of block walls necessitated by the plant/vine retention;

NOW THEREFORE BE IT RESOLVED, October 21, 2014, the Board of Directors of this Corporation hereby adopts a policy for Plants and Limited Common Area Walls (as attached to the official meeting minutes); and

RESOLVED FURTHER, the requesting Mutual member must sign and record an Agreement Regarding Permitted Maintenance of Exterior Ivy which assigns responsibility for the maintenance and/or repair of the subject walls to the member and to any subsequent member of the subject manor; and

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.

RESOLUTION - Outside Plant Watering Restrictions

Resolution 03-22-98 – Revised September 20, 2022 – Third Laguna Hills Mutual

WHEREAS, July 28, 2022, the Third Landscape Committee recognized that the State of California is experiencing record drought conditions requiring parts of Southern California to reduce exterior irrigation water use; and

WHEREAS, exterior water sources available to residents in Third Mutual are potable water, accessed through hose bibs on the exterior of the units; and

WHEREAS, at this time, state and local mandates apply to potable water; and

WHEREAS, the Third Landscape Committee determined that members and residents in Third Mutual must limit exterior watering of outside plants with potable water from exterior mounted hose bibs using a hose or other methods;

NOW THEREFORE BE IT RESOLVED, on September 20, 2022, that members and residents within Third Mutual must limit the exterior watering of outside personal plants using potable water from exterior mounted hose bibs using a hose or other methods to Wednesdays and Sundays only, and no watering of common area plant material is permitted at any time from exterior mounted hose bibs; and

RESOLVED FURTHER, this resolution shall become in full force and effect on September 20, 2022; and

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

RESOLUTION - Herbicide Spray Cessation Guidelines

Resolution 03-23-123 – Adopted October 17, 2023 – Third Laguna Hills Mutual

WHEREAS, due to staffing levels and the proliferation of invasive kikuyu grass, the only practical way to control weeds in the shrub beds and turf edges is the use of herbicides; and

WHEREAS, some members of Third Mutual have requested that staff not use herbicides in the shrub beds adjacent to their respective units; and

WHEREAS, due to the increased labor associated with hand weeding shrub beds, residents requesting the cessation of herbicide application adjacent to their units should be responsible for the timely removal of weeds and maintenance of the turf edges at the shrub beds; and

WHEREAS, said members of Third Mutual making such requests shall fill out and sign an agreement stating their intention and responsibility to perform the weeding and edging of the shrub beds; and

WHEREAS, the Landscape Department shall retain the responsibility for regular pruning of shrubs and the right to apply herbicides to turf areas, insecticides when necessary;

NOW THEREFORE BE IT RESOLVED, October 17, 2023, the Board of Directors introduces the ability to request cessation of herbicide applications in the shrub bed areas following the filing of a signed No Herbicide Agreement; and

RESOLVED FURTHER, all responsibility of weeding and turf edging in the shrub beds shall become the responsibility of the requesting resident; and

RESOLVED FURTHER, all other routine maintenance of the shrub beds shall remain the responsibility of the Landscape Department; and

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



No Herbicide Agreement

Members of the Village are entitled to request that herbicide is not sprayed in the common area shrub beds (planters) adjacent to their unit by Landscaping Services Department staff. However, this request prohibits staff from performing regular landscape maintenance as scheduled at the unit. By signing the agreement below, you are acknowledging that you do not want VMS Inc. staff to spray herbicides in the designated area adjacent your unit, and that you will maintain the turf edging and weeding in the designated area adjacent to your unit going forward. This agreement applies only to herbicides used for the control of weeds and grasses in the shrub beds. The Village reserves the right to revoke this agreement if landscape maintenance standards are not being met by the undersigned member.

I, _____, certify that I have read and understand the agreement above. I also understand that due to my request, I am now responsible for the routine landscape weeding in the shrub beds adjacent to my unit in the common area. If I do not maintain the landscaping up to the current standards, Third Mutual maintains the right to void this agreement at any time and VMS Inc. will regain routine maintenance responsibilities at my unit, including the right to spray herbicides.

Member Signature

Street Address

Date

Staff Signature

Employee ID

Date

RESOLUTION 03-24-110 - Artificial Turf Guidelines and Standards

WHEREAS, the Third Laguna Hills Mutual recognizes the need to amend standards and create new standards as necessary; and

WHEREAS, the Mutual recognized the need to create guidelines for artificial turf; and

WHEREAS, the Landscape Committee will review all requests for artificial turf and refer their recommendation to the Third Mutual Board; and

WHEREAS, all artificial turf requests and installation will need to follow the guidelines; and

NOW THEREFORE BE IT RESOLVED, September 17, 2024, the Board of Directors approves the Artificial Turf Guidelines as attached to the official minutes of this meeting; and

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

Artificial Turf Guidelines and Standards

These guidelines are provided to residents as installation and material standards. All residents requesting artificial turf must complete a [landscape request form](#). The Landscape Committee will review these requests. Both the contractor and resident must follow these guidelines.

Considerations

Before installing artificial turf, consider the following:

1. **Toxicity Concerns:** Potential safety issues with materials used in artificial turf.
2. **High Temperatures:** Artificial turf can reach surface temperatures up to 200°F.
3. **Sanitation Issues:** Dog waste can cause hygiene problems.
4. **Impact on Trees:** Turning off sprinklers can negatively affect nearby trees. Ensure trees have irrigation systems to water them adequately.

Information Required:

Please provide the information below on your form when requesting artificial turf. Landscape Request Form: <https://lagunawoodsvillage.com/document/landscape-request-form>).

1. **Turf Sample:** Provide a sample of the turf to be installed.
2. **Site Plan:** Include dimensions of the yard, area covered with turf, natural vegetation, and hardscape materials
3. **Irrigation System:** Specify the type of irrigation system, if any. All irrigation work must be performed by Mutual irrigation staff.
4. **Licensed Contractor:** Installation must be done by a licensed contractor with all necessary permits.

Guidelines and Standards:

1. **Compliance:** Third Mutual may require removal/replacement of non-compliant turf.
2. **Tree Preservation:** No trees will be removed. Trees must have a sufficient water source.
3. **Proximity to Trees and Shrubs:** Do not install within 48 inches of trees or 36 inches of native shrubs.
4. **Existing vegetation:** All existing grass shall be killed systemically using approved products.
5. **Sub-Base Preparation:** Cap or remove unused sprinkler systems and excavate at least 3 inches of soil. Level the area and add a 3-inch deep, compacted crushed stone sub- base. (All irrigation work must be performed by VMS staff)
6. **Sub Base:** Install a 3-inch aggregate base and permeable geotextile weed barrier for drainage.
7. **Blades:** Blade length should be a minimum pile height of 1.5 inches. Blades should emulate real grass in appearance and color.
8. **Concealment:** The turf must be securely fastened with no visible seams or patterns. Seams must be glued, sewn, or stapled to prevent separation. Use a hard edge material to conceal turf edges. Ensure proper drainage and a weed barrier.
9. **Pile:** The minimum pile height is 1.75 inches, and the face weight is 60 ounces per square yard. Use cut pile polyethylene, polypropylene, or other equivalent materials with approval.
10. **Infill Material:** To keep blades erect, use sand and rubber infill that doesn't raise the

turf's temperature.

11. **Percolation Rate:** The turf must have permeable backing with a minimum percolation rate of 30 inches/hour (ASTM F1551).
12. **Color:** Use three-color turf that looks natural.
13. **UV Protection:** Ensure the material has UV protection to prevent color loss.
14. **Installation Warranty:** Minimum 1-year installation/workmanship warranty.
15. **Prohibited Materials:** No indoor or outdoor plastic or nylon carpet. Avoid felt backing. No nylon materials. No products with lead, heavy metals, or harmful substances. Materials that absorb water should not be used to avoid mold, odors, and discoloration from pet urine.

Care Standards

1. **Warranty Protection:** Must have a warranty against color fading and pile height decrease. Minimum 8-year warranty.
2. **Debris Removal:** Use a leaf blower or rake to remove organic material.
3. **Animal Waste:** Frequently remove animal waste and wash the area.
4. **Cleaning and Maintenance:** Periodically clean turf and fluff the pile to maintain its appearance. Keep turf free of rips, tears, and holes, and maintain its appearance.

RESOLUTION 03-25-122 - Shrub Replacement Policy

WHEREAS, the Landscape Department recognizes the need for a formal policy regarding shrub replacement to promote consistent landscaping standards, sustainability, and long-term community landscape goals; and

WHEREAS, the proposed Shrub Replacement Policy outlines clear criteria and procedures for replacing shrubs that are dying, hazardous, or overgrown, and emphasizes environmental stewardship, biodiversity, and water conservation; and

WHEREAS, the policy also ensures all shrub replacement requests are assessed by the Landscape Department, with final selections favoring drought-tolerant, regionally appropriate plants, sourced from the GRF Nursery; and

WHEREAS, resident requests for shrub replacement will follow a structured process including request submission, professional evaluation, Board or staff approval, and scheduled installation aligned with seasonal best practices and available budget; and

WHEREAS, the policy has been reviewed and recommended for adoption by the Landscape Committee;

NOW THEREFORE BE IT RESOLVED, July 15, 2025, the Board of Directors hereby adopts the Shrub Replacement Policy as presented; and

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

Shrub Replacement Policy

This policy is intended to address requests for shrub replacement adjacent to residential units and outlines the criteria and procedures for shrub replacement to ensure aesthetic consistency, environmental stewardship, and alignment with long-term landscape goals.

A resident may request shrub replacements or landscape alterations via a Landscape Request Form ([landscape-request-form](#)). Approval depends on compliance with community standards and budget limitations.

Replacements must align with long-term landscape plans, promote biodiversity, water conservation, unified community aesthetics and adhere to all applicable local, state and federal ordinances.

1. Criteria for Residential Shrub Replacement

Shrubs will only be considered for replacement if they meet the following criteria:

- **Health and Vigor:** Shrubs that are dying, diseased, or have suffered irreparable damage due to age, pests, or weather conditions.
- **Overgrowth:** Shrubs that have outgrown their space or consistently block walkways, windows, signage, or impede visibility.
- **Risk or Safety Concerns:** Shrubs that present hazards near utility infrastructure, impede emergency access or are damaging infrastructure.

Shrubs will not be replaced for personal preference.

2. Process for Shrub Replacement

- **Assessment**
 - Performed by the Landscape Department.
 - Evaluated for plant health, location relevance, and potential for replacement.
- **Selection of Replacement Shrubs**
 - Drought-tolerant, regionally appropriate, and lower-maintenance plants are prioritized.
 - Preference is given to species from the GRF Nursery (list available on the Village website: [GRF Nursery Plants](#))
 - All plant replacements must be approved by staff or Board.
- **Installation**
 - Performed by staff or contracted landscape crews. With prior approval, residents may engage outside landscapers to install approved plants. If work is performed outside contractor all irrigation changes must be completed by in-house staff as a chargeable service.
 - May include soil preparation and mulch application.
- **Documentation**
 - Documentation is maintained by the Mutual for transparency and tracking.

3. Timing and Scheduling

- **Routine Replacement:** Planting occurs mostly during optimal planting seasons, Fall through Spring, when conditions provide better plant establishment.
- **Resident Requests:** Processed in order of receipt and subject to budget availability. Target response time is 30–90 days.
- **Planned Renovations:** Conducted in phases as part of budgeted annual

programs, with scheduling coordinated by Landscape Division.

RESOLUTION - Appeal Policy

RESOLUTION 03-25-05 – Third Laguna Hills Mutual

WHEREAS, Third Laguna Hills Mutual's ("Third") Governing Documents require a Member to seek approval from the Board of Directors ("Board") on various matters of Corporate business by way of the Committee structure or Management; and

WHEREAS, the Board recognized that need to amend the Appeal Policy to streamline the process and provide efficiencies;

NOW THEREFORE BE IT RESOLVED; January 21, 2025, that the Board of Directors of this Corporation hereby approves the revised Appeal Policy, as attached to the official minutes of this meeting; and

RESOLVED FURTHER, that Resolution 03-23-70 adopted June 20, 2023 is hereby superseded in its entirety and cancelled; and

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.

Appeal Policy Resolution 03-25-05; January 21, 2025

I. Purpose

Third Laguna Hills Mutual ("Third") requires a Member to seek approval from the Board of Directors ("Board") on certain matters of Corporate business by way of the committee structure for review of a question that may ultimately be determined by the Board in Open session, including without limitation, certain architectural and landscape approvals, and variance requests, or in Executive Session, including without limitation, approvals for Lease Authorization Permits, Co-occupancy Applications, Caregiver Applications, non-escrow membership transfer applications and Resale, as well as decisions on discipline of members for governing document violations and reimbursement for expenses incurred by Third.

Depending on the circumstances and the powers granted to the Committee (as defined below), the Committee may either act to approve or deny a Member's request, or, if such request requires Board consideration, forward the Committee's recommendations regarding the Member's request to the Board for its consideration and decision.

The purpose of this document is to set forth the Appeal Policy for appeals of certain decisions by the Board, Committees, or Management on architectural and landscape matters, Lease Authorization Permits, Co-occupancy Applications, Caregiver Applications, non-escrow membership transfer applications and Resale related matters, as well as decisions made regarding Member discipline and reimbursement to Third by Members for expenses incurred by Third for which the Member is

responsible, including without limitation when applicable, legal fees and costs.

A decision made by a Committee or Management, within its powers, to deny a Member's request shall be appealable to the Board if permitted by the Community Rules and/or required by statute. However, except as specifically provided in this Policy or otherwise in the Community Rules (as defined below), or as may otherwise be required by law, **all decisions, including other matters of Corporate business made by the Board, whether in an Open Meeting or in Executive Session, shall be final and not subject to additional review or a right of appeal by Third Members.**

II. Definitions

For the purposes of this Policy:

- a. **Committee** is a group of individuals appointed by the Board for a specific function. For example, the Architectural Control and Standards Committee and Landscape Committee review Member requests for nonstandard architectural or landscape changes and make recommendations to the Board for approval or denial.
- b. **Community Rules** shall mean and refer to the Articles of Incorporation and Bylaws of Third, the recorded Covenants, Conditions, and Restrictions ("CC&Rs"); and any rules and regulations adopted by Third. Any reference to the "Governing Documents" shall, for purposes of this Policy, be deemed a reference to the Community Rules set forth in this definition.
- c. **Executive Hearing Committee** is comprised of four (4) Directors and one (1) alternate Directors for the purpose of making decisions on disciplinary/confidential matters in Executive Session, including without limitation, discipline for Governing Document violations and decisions regarding the imposition of reimbursement assessments on Members for Common Area damage.
- d. **Executive Session** is defined as a closed meeting of the Board to address disciplinary/confidential matters as described in Civil Code Section 4935.
- e. **Management** shall mean and refer to Village Management Services, Inc., the managing agent for Third.
- f. **Member** is defined as any person who is an owner of a Unit in Third's development who has been approved for membership in Third.
- g. **Open Meeting** is defined as a meeting open to the Members of Third as provided in the Open Meeting Act as codified in the Civil Code at Section 4900 et seq. Per Civil Code Section 4765, decisions made by the Board relating to a Member's architectural and/or landscape request that occur in an Open Session meeting may be final.
- h. **Subject Matter Expert ("SME")** is defined as the Staff Member from Management with the highest level of expertise in the specialized job, task, or skill pertinent to a Member's appeal request.

III. Architectural and Landscape Decisions

As further described in the Community Rules, including without limitation, the Architectural Review Procedures, applications for Standard Plan alterations submitted to the Manor Alterations and Permits Division may typically be approved without Board review.

An application with plans not in conformance with the approved Standard Plan alterations or for which neighbor objections have been received are considered and reviewed by the Architectural Control and Standards Committee ("ACSC"). Applications that are not in conformance with Third's architectural standards may be recommended for denial by the ACSC.

Meanwhile, an application that may otherwise meet the application requirements, but with plans that do not conform to the approved Standard Plan alterations, requires the approval of a variance request, which must be submitted for review by the ACSC. The ACSC reviews the architectural application, variance request, and other documentation provided regarding the proposed alteration at its regularly scheduled meetings and makes a written recommendation to the Board as to whether the architectural/variance request should be granted or denied.

Similarly, requests by Members for landscape modification are submitted to the Landscape Division for review by Management and/or the Landscape Committee, which may approve standard landscape alterations without Board review. Nonstandard landscape requests will be reviewed by the Landscape Committee, who will then make a written recommendation to the Board as to whether the landscape modification should be approved or denied.

The recommendation from the ACSC or Landscape Committee, as may be applicable, on a matter to be ultimately determined by the Board is considered by the Board at the next regularly scheduled Open Meeting, at which time the Board will either approve (either with or without conditions) or deny the Member's architectural/variance or landscape modification request.

Such decisions made by the Board at an Open Meeting are not subject to appeal, in accordance with Civil Code Section 4765. Nor shall decisions made by the Board on such matters in Executive Session, as may be applicable, be subject to appeal.

Notwithstanding the foregoing, if new relevant information is brought to the Board's attention relating to a matter previously decided by the Board, the Board may, in its sole discretion, revisit such decision due to extraordinary circumstances, but it shall have no obligation to do so and no Member shall be entitled to such reconsideration as a matter of right.

The SME will review any request for reconsideration based on extraordinary circumstances if submitted in writing within thirty (30) days from the Board's determination or the discovery of such extraordinary circumstances.

Reconsideration of the Board's decision may be considered in the following circumstances:

- (1) the application or documentation provided had an error which would

- otherwise have resulted in approval;
- (2) the Board or recommending Committee misinterpreted provisions of the application or the requirements of law or the Community Rules in its decision;
- (3) an aberration from the review and approval procedures as laid out in the Community Rules is discovered; and
- (4) any other situation in which the Board, in its sole discretion, believes that an additional review is necessary to ensure the equal and fair treatment of all Members.

In no event, however, shall any reconsideration request be considered by the Board after one (1) year from the date of the original, final decision by the Board (Bylaws, Section 4.6.4, Limitation on Challenge).

IV. Disciplinary Decisions

The Executive Hearing Committee makes decisions on disciplinary/confidential matters, including discipline for governing document violations and decisions regarding the imposition of reimbursement assessments on Members for Common Area damage, in Executive Session meetings, to which the Member has been invited to be heard, and issues written decisions to Members within fifteen (15) days from the date of the noticed hearing in accordance with the hearing and enforcement procedures in Third's Community Rules.

Within thirty (30) days of receipt of a written decision by the Executive Committee relating to Member discipline or a reimbursement by the Member to Third, made at an Executive Session meeting, the Member may appeal to the Board the Executive Committee's decision by providing an explanation, in writing, as to why the Member believes the Committee made an incorrect decision, along with any additional evidence or documentation pertinent to the Member's appeal.

Upon receipt of such appeal request, the information will be reviewed by the SME for consideration. If approved, a new hearing will be scheduled before the Board, at which the Board will consider the written appeal as well as any evidence or documentation previously provided, after which the Board will make a decision and provide notice of same in accordance with Third's Governing Documents and applicable statute.

No further appeals, other than as directly referenced above, will be granted upon reconsideration by the Board of the matter that was the subject of the initial hearing before the Executive Committee and a final determination by the Board. In addition, the decision on any such matter heard directly before the Board (rather than first being heard by the Executive Committee) shall be final and not subject to appeal.

V. Occupancy and Membership Decisions

Pursuant to Third's Lease Policy, Care Provider Policy, Resale Policy and the Governing Documents, a Member seeking authorization to occupy or obtain Membership must submit the required Permit application to the Community Services Division along with all required supporting documentation. The application is then reviewed by Management, who may either approve or deny the application based on the conformance of the application to the requirements in the

Lease Policy, Care Provider Policy, Resale Policy, and the Governing Documents and ability of the Member to pursue such action as otherwise specified in the Community Rules and/or based on prior disciplinary action against the Member.

If Management denies the request within its authority (without consideration by the Board), the Member may appeal such decision to the Board upon written appeal by providing an explanation, in writing, as to why the Member believes Management made an incorrect decision, along with any additional documentation pertinent to the Member's appeal. Upon receipt of such appeal request, the information will be reviewed by the SME for consideration as well as any evidence or documentation previously provided, for consideration by the Board, which will make a final decision on the Member's application.

In some instances, Management may refer the approval/denial decision directly to the Board, and provide a recommendation for approval or denial of the application based on its review of the submitted application and documentation.

A decision on the approval or denial by the Board, whether in an Open Meeting or in Executive Session shall be final, and not subject to appeal or further review by the Member.

Notwithstanding the foregoing, if new relevant information is brought to the Board's attention relating to a matter previously decided by the Board, the Board may, in its sole discretion, revisit such decision due to extraordinary circumstances, but it shall have no obligation to do so and no Member shall be entitled to such reconsideration as a matter of right.

The SME will review any request for reconsideration based on extraordinary circumstances if submitted in writing within thirty (30) days from the Board's determination or the discovery of such extraordinary circumstances.

Reconsideration of the Board's decision may be considered in the following circumstances:

- (1) the application or documentation provided had an error which would otherwise have resulted in approval;
- (2) the Board or recommending Committee misinterpreted provisions of the application or the requirements of law or the Community Rules in its decision;
- (3) an aberration from the review and approval procedures as laid out in the Community Rules is discovered; and
- (4) any other situation in which the Board, in its sole discretion, believes that an additional review is necessary to ensure the equal and fair treatment of all Members.

In no event, however, shall any reconsideration request be considered by the Board after one (1) year from the date of the original, final decision by the Board (Bylaws, Section 4.6.4, Limitation on Challenge).