

Procedures for Administering an Alteration or Improvement Request  
As required by Civil Code §4765 and  
Mammoth Estates Homeowner Association CC&Rs

The Mammoth Estates Homeowners Association adopts the following governing procedure for its review and approval of a homeowner's application to alter or improve their unit. Because the association and the local building department are separate jurisdictions, an owner must separately get approval from both the Homeowner's Association and the Town of Mammoth Lakes, as required by Mono County building code and Town of Mammoth Lakes local municipal code enforcement.

A homeowner may not commence work on any project requiring the approval of the Mammoth Estates HOA prior to the conclusion of this process. This procedure specifically applies to any improvements or alterations as defined in CC&R § 7.15, without exception. Notwithstanding these requirements, homeowners may make improvements or alterations within the interior boundaries of their unit if they do not impair or make alternations to the structural or acoustical integrity, utilities or other mechanical systems, or load bearing walls of the Common Areas or other units. If a homeowner is unclear as to the applicability of CC&R § 7.15, it is recommended that the homeowner seek guidance from the HOA Manager. A failure to comply with CC&R requirements could result in a financial penalty, financial liability to remedy an unapproved project or both.

The Board has delegated its authority to approve requests for improvements or alterations to its Architectural Committee or in the case of window replacements to the HOA manager, except that an owner's whose request is denied may request a reconsideration by the HOA Board as set-forth below.

**Procedure For All Alteration Requests Except for Standard Window Replacements**

1. The member requesting the HOA Board's review and approval of an alteration or improvement must submit a Mammoth Estates Property Alteration or Improvement Request Form. Copies of the current forms may be found on the Mammoth Estates HOA website at:

<https://www.mammothestateshoa.com/architectural-request-forms> or obtained from the HOA Manager.

2. The owner shall submit the form to the Mammoth Estates HOA Manager. (Note: The HOA Manager will perform a preliminary review of the request to ensure that minimum requirements are included and advise the owner if any additional information is needed.)
3. The HOA Manager, within five days of receiving the completed request, will send the request to the HOA Board's Architectural Committee for review.
4. The Chair of the Architectural Committee will schedule a meeting to occur within 30 days of the receipt of the request. The homeowner will be informed of the date and time of the meeting and may attend the meeting. At the meeting, the Architectural Committee shall perform the following:
  - Review the information contained in the request including the plans and specifications showing the nature, kind, shape, color, size, materials and location of any proposed improvements or alterations.
  - Determine if any additional information is needed before it can complete its review and, if so, request that the HOA Manager communicate the needed information to the owner within five days. An additional Committee meeting will be scheduled within 20 days of the date it receives the needed information.
  - Once all requested information is received, the Committee shall review the information and decide if the proposed improvements or alterations are consistent with the HOA CCRs and architectural guidelines and shall affirm or deny the owner's request. In making its decision the Committee shall act in good faith and not be unreasonable, arbitrary or capricious. The decision shall be consistent with any governmental provision of law. The committee Chair shall inform the HOA Manager of the Committee's decision.
5. The HOA Manager shall communicate, in writing, the decision of the Architectural Committee, including the reason for any denial, and the procedure for requesting a reconsideration by the HOA Board, to the homeowner within five days of the Committee's meeting. This decision shall also communicate if the Architectural Committee must review and approve architectural plans (drawings/blueprints) prior to the commencement of any work.

6. If the homeowner disagrees with the Committee's decision, it may, within 30 days of receipt of the decision, request a reconsideration of the decision by the Board. The HOA Manager shall inform the president of the Board of the request for reconsideration within 5 days of receipt of the Committee's decision.
7. The Board of Directors will convene a regular or special meeting within 30 days of the date it is informed of the request for reconsideration. The homeowner will be informed of the date and time of the meeting and may attend the meeting. The Board will review the recommendation of the Architectural Committee, the information considered by the Committee, and any additional information provided by the owner. The Board may, as part of its reconsideration, request additional information from the owner and reconvene the meeting to decide the request for reconsideration within 30 days of receipt of the requested information.

The Board will either affirm or deny the Committee's decision. In making its decision, the Board will determine if the proposed improvements or alterations are consistent with the HOA CCRs and architectural guidelines. The Board shall act in good faith and not be unreasonable, arbitrary, or capricious, and the Board's decision shall be consistent with any governmental provision of law. The decision of the Board shall be reflected in its meeting minutes. The Board President will inform the HOA Manager of the Board's decision. The HOA Manager shall inform the owner of the decision, in writing, including any basis for denial.

8. All work must be performed by a licensed contractor who is bonded/insured. When required by local municipal or county code, a Permit must be obtained from the Town of Mammoth Lakes. When applicable, please submit evidence of conformance with these requirements to the HOA manager prior to beginning work.
9. Upon completion of all work, the homeowner must submit the attached Notice of Completion and a copy of all signed permits to the HOA Manager.
10. Approval of plans by the Board or Committee, shall not make the Board or its members responsible for or liable for the improvements built after approval of the plans and the Owner whose plans are approved shall defend, indemnify, and hold the Board and the members thereof, harmless from any and all liability arising out of such approval.

## Procedure For Approval of All Standard Window Replacements

To ensure an expeditious review of standard window and sliding glass door replacements requested by Homeowners, authority is delegated to the HOA Manager as follows:

1. The homeowner will submit the required Homeowners Improvement/Alteration Request Form for standards window replacements.
2. The manager will provide the Architectural Committee with a copy of the request via email.
3. If no member of the Architectural Committee indicates a need for an Architectural Committee meeting within 5 days from the date the homeowner's Request for Improvement/Alteration Form was sent, the Manager will have the delegated authority to review and, if appropriate, approve the request.
4. The Manager may approve and sign the request and note that the Architectural Committee's approval was delegated.
5. If the Manager believes the request should be denied, it will be referred to the Architectural Committee for its consideration under the procedures specified above.
6. The Architectural Committee and Board will be advised of any Manager approval of standard window replacements at their next regularly scheduled board meeting.