

BROOKFIELD VILLAS HOMEOWNERS ASSOCIATION HOSTILE HOUSING HARASSMENT POLICY

Introduction

Federal and State fair housing law prohibits discrimination in housing. Brookfield Villas Homeowners Association (the "Association") follows all Federal and State fair housing laws. It is the policy of the Association to administer all aspects of its governance without regard to (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability or any other legally-protected status. This policy extends to all residents of the Association as well as their lawful visitors. The Association will not discriminate against or harass such persons with regard to their (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability or any other legally-protected status, and will not retaliate against such persons for having reported, complained of, or assisted or encouraged another person to report or complain of any such discrimination or harassment. The Association takes all complaints of discrimination, harassment, or retaliation seriously, and will respond within 10 business days of receiving complaint. This document will set forth the specific terms and conditions of the Association's policies against discrimination, harassment, and retaliation, and will explain the procedure to be followed in the event that a person believes that he or she has been subjected to such conduct.

What is Hostile Housing Harassment?

Subjecting a person to unwelcome conduct that is sufficiently severe or pervasive such that it interferes with or deprives the person of the right to use and enjoy the housing in the Association (see Definitions below).

What is "unwelcome conduct"?

Conduct that would offend or harass a hypothetical "reasonable person." The totality of the circumstances must be considered.

What is "severe or pervasive"?

Extreme or repeated conduct that interferes with a person's ability to access and live in housing in the Association.

What is Discrimination?

Conduct that has the effect of treating a resident of the Association, or a lawful visitor of such resident, differently in the terms, conditions, or privileges of housing on the basis of such person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability or any other legally-protected status (see Definitions below).

Complaints of Discrimination or Harassment

The Association will not tolerate discrimination or harassment of any resident or visitor regardless of the source of the discriminatory or harassing conduct. The Association will not take retaliatory action against any person for having reported or opposed any incidence of discrimination or harassment engaged in by any resident of the Association, by any employee of the Association, or by any other person, or for having assisted or encouraged another to report or complain of, any such discrimination or harassment.

Persons who believe that they have been subject to discrimination or harassment, as described above, or employees of the Association who believe they have witnessed, or have been informed of, discriminatory or harassing conduct, should file a complaint with the Association as soon as reasonably possible, as outlined below.

Reporting Process/Procedure

Complaints of discrimination or harassment should be made first to the Association as follows:

Brookfield Villas Homeowners Association
c/o HOAMCO
35 Bell Rock Plaza, Suite A
Sedona, AZ 86351
Telephone: (928) 778-2293 x1159
Email: pmartin@hoamco.com

All persons making such complaints must provide a written statement describing the events or conduct that forms the basis of the complaint. Upon being notified of the complaint in writing, the Association will schedule an interview with the person making the complaint for the purpose of determining whether an informal resolution of the complaint is possible, or if further investigation is warranted.

Within 10 business days of receiving the complaint, the Association will provide a written notice to those alleged to have violated this policy. The Association will also send a written notice to the complainant informing them that notice was sent to those alleged to have violated policy, as well as information on how to complete and submit a housing discrimination complaint.

Retaliation

Any person who believes he/she had been retaliated against by the Association for having reported any incidence of discrimination or harassment against any resident the Association, for having assisted or encouraged another person to report or complain of any such discrimination or harassment, is encouraged to file a complaint with the Association in the manner outlined above.

Record Keeping

The Association will maintain written records of all complaints of discrimination or harassment made to it, including all records pertaining to any investigation undertaken pertaining to such complaints, separately from participant files. All records will be kept confidential to the extent required by the Association's records retention policy or applicable law.

Definitions

- A. **Discrimination.** When used in this policy the word "discrimination" shall mean conduct that has the effect of treating a resident of the Association, a lawful visitor of such resident differently in the terms, conditions, or privileges of housing on the basis of such person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability or any other legally-protected status. Depending upon the circumstances, examples of discriminatory conduct could include, but are not limited to the following:
- Verbal abuse or innuendo, which is continued or repeated, concerning a person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability or any other legally-protected status.
 - Open display of objects or pictures that are offensive to persons of any legally-protected class.
 - Use of derogatory words to describe a person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability, or other legally-protected status.
 - An Owner or Resident making decisions regarding another owner or resident, based upon a person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability, or other legally-protected status.
 - Making Association decisions, owner-to-owner decisions, or resident-to-resident decisions based upon a person's (1) race, (2) color, (3) national origin, (4) religion, (5) sex (including sexual orientation, and/or gender identity), (6) familial status, and/or (7) disability, or other legally-protected status.
- B. **Hostile Housing Harassment.** When used in this policy, the word "harassment" shall mean subjecting a person to unwelcome conduct that is sufficiently severe or pervasive such that it interferes with or deprives the person of the right to use and enjoy the housing in the Association.
- C. **Retaliation.** When used in this policy, the word "retaliation" shall mean any adverse action taken against a resident of Association, any member of such resident's household, or a lawful guest of a resident, including, without limitation, harassing or annoying conduct or behavior, non-responsiveness to requests for Association services, or other adverse or disparate treatment that is prompted and motivated by such person's having made a complaint of discrimination or harassment.

Due to the effects that any changes to the U.S. Department of Housing and Urban Development's ("HUD") guidelines on hostile housing harassment will have on this Policy, the Policy shall automatically expire and be of no force and effect upon the issuance by HUD of any changes or amendments to the HUD guidelines on hostile housing harassment.

Adopted: April 11, 2023

