

RESOLUTION NO. 2025-01

A RESOLUTION OF THE HOUSING AUTHORITY OF THE TOWN OF SILVERTON AMENDING THE SILVERTON AFFORDABLE GUIDELINES TO INCORPORATE THE SJDA HOMEOWNERSHP PROGRAM

WHEREAS, the Housing Authority of the Town of Silverton ("Silverton Housing Authority"), in the County of San Juan and the State of Colorado is a municipal housing authority duly organized and existing under the laws of the State of Colorado; and

WHEREAS, the Silverton Housing Authority Board adopted the Silverton Affordable Housing Guidelines on September 9, 2024; and

WHEREAS, the Silverton Affordable Housing Guidelines grant the Silverton Housing Authority Board the authority to amend the Guidelines by means of written resolutions; and

WHEREAS, on January 24, 2025, the San Juan Development Association Board recognized the need for capacity to administer a buyer application processes and compliance monitoring of the certain real property more particularly described in Exhibit A hereto and identified the Silverton Housing Authority as an option to address such needs; and

WHEREAS, the Silverton Housing Authority's mission is to advocate, promote, plan, and provide the long-term supply of quality affordable housing to support equitable access to housing in the Town of Silverton; and

WHEREAS, the Silverton Housing Authority finds it in alignment with its mission to provide affordable housing opportunities by adding the SJDA Homeownership Program to the Silverton Affordable Housing Guidelines and assuming responsibility for administering, monitoring, and enforcing compliance with the property's Affordability Covenants and Silverton Affordable Housing Guidelines.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF THE HOUSING AUTHORITY OF THE TOWN OF SILVERTON THAT:

<u>Section</u> 1: The Board does hereby amend the Silverton Affordable Housing Guidelines to include the SJDA Homeownership Program as described in Exhibit B hereto.

the Silverton Housing Authority SJDA 735 Martha Rose Affordability Covenants to be recorded to the certain real property as described in Exhibit A hereto.	
THIS RESOLUTION was approved and adopted on the 10th day of February 2025, be the Housing Authority of the Town of Silverton	y
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SILVERTON HOUSING AUTHORIT	Y:
Dayna Kranker, Chairper	son
ATTEST:	
Melina Marks Lanis, Town Clerk (SHA Appointed Secretary)	

EXHIBIT A

Property Legal Description

Lot 27 of the Anvil Mountain Subdivision, according to the recorded plat thereof filed for record on September 30, 2011, at Reception number 148169 and Amended Easement and Setbacks filed for record on July 25, 2019, at Reception number 152386 at the Clerk and Recorder's Office, San Juan County Colorado.

EXHIBIT B

SJDA HOMEOWNERSHIP PROGRAM

To be adopted into the Silverton Affordable Housing Guidelines

Section 200: PROGRAM DESCRIPTION

The SJDA Homeownership Program governs the property at 735 Martha Rose Street (the "Property," "Unit," "Housing Unit," "Subject Unit"), more particularly described in Exhibit A hereto. San Juan Development Association partnered with San Juan County and 9318 Contracting for the construction of this property funded by the Colorado Department of Local Affairs Division of Housing through the Housing Development Grant awarded to San Juan Development Association. San Juan County, the Silverton Housing Authority, and 9318 Contracting are parties to the Affordability Covenants filed on xx/xx/2025 at Reception Number XXXXXXXXX, herein referred to as "Covenants" or "Restritions."

200.1 Unit Mix

SJDA Homeownership Program	Subject Unit: 735 Martha Rose
AMI Level	≤ 80% AMI
Bedroom Count	2

Section 201: PURPOSE AND APPLICABILITY

- The SJDA Homeownership Program, herein referred to as "these Provisions" governs the Affordable Housing Unit herein referred to as the "Subject Unit," "Housing Unit," "735 Martha Rose" or "Property" to permanently protect affordable homeownership opportunities. These provisions govern the purchase, sale, transfer, assignment, or conveyance of Housing Units subject to this SJDA Homeownership Program.
- **201.2** Application of the provisions herein is established by a resolution of the Silverton Housing Authority.
- 201.3 Conflict: In cases where there is conflict between these Provisions and the Town of Silverton Municipal Code, the Municipal Code shall govern. In cases where there is a conflict between these Provisions or the Land Use Code and the Affordability Covenants the provisions of the Affordability Covenants shall govern. In cases where there in conflict between the SJDA Homeownership Program Provisions and the Silverton Affordable Housing Guidelines, these SJDA Homeownership Program Provisions shall govern.



Section 202: PROGRAM POLICY GOALS

202.1 The SJDA Homeownership Program is designed to provide affordable housing opportunities for Households earning less than eighty percent (80%) Area Median Income and to maintain the affordable housing stock in Silverton for the future.

Section 203: INITIAL QUALIFICATION STANDARDS AND PROCESS

This Section governs the Initial Qualification Standards and Process for Applicants for the SJDA Homeownership Program.

203.1 Administration of Waitlist Application

- A. **Fair Housing** The Silverton Housing Authority shall fully comply with all Federal, State and local nondiscrimination laws; the Americans with Disabilities Act; and, to the extent applicable, the U.S. Department of Housing and Urban Development regulations governing Fair Housing and Equal Opportunity.
- B. Limited English Proficiency The SJDA Homeownership Program and Application process will be administered in compliance with Colorado and Federal Guidelines. Free interpretation services and translations of vital documents will be provided as needed. Language preference will be identified during the application process, and reasonable steps, such as using bilingual staff or interpreters, will ensure effective communication. Applicants and tenants will be informed of their right to these services, and staff will be trained on LEP requirements. No individual will be excluded or treated unfairly due to limited English proficiency, in line with Title VI of the Civil Rights Act and Executive Order 13166.
- **C. Lawful Presence** The SJDA Homeownership Program is administered in accordance with C.R.S. § 24-76.5-103. Pursuant to 8 U.S.C. § 1621(d). Lawful presence is not required to determine eligibility for state or local public benefits, including the SJDA Homeownership Program.
- D. Reasonable Accommodation Applicants may request a reasonable accommodation in accordance with the Americans with Disabilities Act if they require modifications to the Initial Qualification Application process or to the SJDA Homeownership Program in general according to Section 109.6. Requests for accommodation must be submitted to the Silverton Housing Authority Staff before the closure of an Application Period, who will review and determine accommodations.



- **203.2** Initial Qualification Standards The following standards apply to determine eligibility to apply for the SJDA Homeownership Program and warrant one (1) entry to the Waitlist Drawing:
 - Income Level Standard The Applicant's Gross Income must be verified by SHA
 or its designee that it does <u>not exceed the Eighty Percent (80%) Area Median
 Income Level posted in Appendix A at the time of Application and Purchase of the
 Housing Unit.</u>
 - a. Applicants may request an Exclusion from Income pursuant to Section 103.2.C.4 of the Silverton Affordable Housing Guidelines.
- **203.3 Bonus Entry Qualification Standards** The following Qualification Standards earn additional entries into the Waitlist Drawing.

A. Definitions:

- 1. Vital Workforce: Any Household with a member Employed, or can provide a letter of intent to hire by San Juan County, Town of Silverton, Silverton School, Silverton Family Learning Center, Silverton Medical Rescue, OR any household with a member who has volunteered for Silverton Fire Department or Silverton Medical Rescue a minimum of forty (40) hours a month on an annual average in the immediate year prior to the Application Period. To qualify for Bonus entries for Vital Workforce, Applicant's employer must submit a completed Employment Verification Form to the SHA as specified in the application packet.
- 2. Local Workforce: Any Household with a member currently Employed, or can provide a letter of intent to hire by a business located and licensed in San Juan County or meets the Qualified Volunteer definition. Additional entries are dependent on length of employment / volunteerism according to the Bonus Entry Matrix. To qualify for bonus entries for Employee in San Juan County, Applicant's employer or volunteer organization must submit a completed Employment Verification Form to the SHA as specified in the application packet.
- 3. Qualified Disabled or Qualified Retired Resident of San Juan County: Applicants who are Qualified Retired or Qualified Disabled. Additional entries are dependent on length of residency in San Juan County seen in Section 103.5. To qualify for the Bonus entries for Qualified Disabled/Retired in San Juan County, the Applicant must complete the residential history within the application packet and show proof of retirement or unemployment based on the required documentation in Section 104.3C.



B. Bonus Entry Stipulations:

- 1. Maximum of three (3) additional entries per Application.
- 2. Employment and Residence history for Priority qualifications may be applied only to the person in the <u>Household</u> that has worked, or when applicable, lived in San Juan County the longest. Residency length cannot be combined amongst Household members.
- **C. Bonus Entry Matrix –** The following entries will be in addition to the one (1) entry for Initial Qualification Standards.

Bonus Qualification	Sum of Monthly Employment in the Immediate Last 5 Years	Additional Entries
Vital Workforce		+3 entries
Local Workforce	0-12 months (0-1 years)	+2 entries
	13+ months (1+ Years)	+3 entries
Qualified Retired and Qualified Disabled Residency in San Juan County	24+ months (2+ years)	+ 3 entries

- **203.4 Grounds for Denial** SHA is not required or obligated to qualify, assist, or accept Applicants into the Program if they meet the criteria of Section 103.8 Grounds for Denial.
- **203.5** Initial Qualification Process SHA, or its assigns, administers Applications for the SJDA Homeownership Program Waitlist subject to the following provisions to create an orderly and fair process for offering the Housing Unit for Sale to Eligible Applicants.

A. Opening and Announcement of Application Period –

 Notice of the date, time and location at which Applications will be accepted for the Waitlist shall be published as a Legal Notice in a newspaper of general circulation in the Silverton Standard at least twenty (20) days prior to the



closure of an Application Period, through the Silverton housing authority communication channels and on the Silverton Housing Authority website.

2. Applications and information shall be available online on the Silverton Housing Authority website concurrent with the publication of the Legal Notice.

B. Application Requirements -

- 1. Households interested in purchasing a Housing Unit must submit a complete Application to SHA within the Application Period. No late or incomplete applications will be accepted.
- **2.** Each member of an Applicant Household over the age of eighteen (18) must sign and be submitted as a Household:
 - a. A release allowing SHA to obtain additional information for Qualification purposes; and
 - b. A sworn statement including without limitation the following certifications:
 - a. the facts contained in the application are true and correct to the best of the Applicant's knowledge; and
 - b. the Applicant has been given the standard application information packet by SHA Staff; and
 - c. the Applicant, on the basis of the application presented, believes the Applicant Household qualifies to own the Housing unit in question according to the Deed Restriction, these Guidelines, and all other applicable procedures, rules and regulations; and
 - d. the Applicant agrees to indemnify, defend, and hold harmless the Silverton Housing Authority and any and all legal bodies corporate and/or politic flowing therefrom including their officers, trustees, directors, agents, representatives, employees, and assigns against any and all claims including attorneys' fees and costs, which may be brought against any of them by anyone claiming to have been injured as a result of Applicant's participation in the Application Program or my removal therefrom; and
 - e. the Applicant agrees to provide all requested information to SHA upon request within the specified timeframe communicated by SHA.
- **3. Application Fee** Applications must be submitted with the Application Fee according to Appendix D.



4. Mortgage Pre-Approval Letter – the Applicant must submit a Mortgage Pre-Approval Letter from a lender. The letter must confirm that the Applicant is preapproved for a loan amount that meets or exceeds the Sale Price specified in the Application Packet.

C. Application Exception, Appeal and Grievance Procedure -

- Exceptions- Exceptions will not be accepted nor granted for the Qualification
 Criteria for the SJDA Homeownership Program as to not conflict with the
 Colorado Department of Local Affairs' and San Juan County's restrictions on
 the Property.
- **2. Appeals** Applicants may submit an Appeal of a decision made by SHA Staff or Board according to Section 207.2.
- 3. Grievances Applicants may submit a Grievance according to Section 207.3.
- **D. Application Review** Applications will be reviewed for completeness and Applicant Qualification will be verified based on the following standards:

1. Completeness:

- a. Applications must be fully complete and include all required documentation and fees.
- b. Accuracy and Consistency: Information provided in the Application must be accurate and consistent across all submitted documents.
- c. Missing or conflicting information or documents will be noted, and Applicants may be granted a specified timeline to remedy the missing or conflicting materials per SHA Staff discretion.

2. Timeliness of Submission:

a. Applications must be submitted by the specified deadline. Late applications will not be accepted.

3. Verification of Income Level:

- a. Income verification will be conducted according to Section 104: Household Income Verification.
- b. Income Verification of Applicant Household will be completed by SHA or its assign:
 - i. Upon submission of an Application for the Waitlist; and



- ii. Within thirty (30) days prior to closing on the purchase of a housing unit if applicable to Applicant.
- **E. Notification of Application Status:** Applicants will be notified of the status of the Application, either accepted or denied per the following procedures, a minimum of fourteen (14) calendar days prior to the SHA Regular Meeting in which the Application Drawing will occur.

1. Application Receival Procedure

a. If SHA Staff receives applications in the form, manner, and time in which SHA is accepting applications to the SJDA Homeownership Program, SHA Staff will notify the Applicant of the received status of the Application and their assigned Applicant ID Number.

2. Acceptance Procedure -

- a. Applicants will be notified of acceptance to the Application drawing via an email to the email address provided in their Application and will include their assigned Applicant ID Number and the number of entries they are assigned for the Waitlist Drawing.
- b. Applicants will have the right to Appeal the number of Application Drawing entries they are awarded and will be provided information concerning the Section 207.2: Appeal Procedure.

3. Denial Procedure -

- a. Applicants will be notified of denial to the Application Drawing, also referred to as disqualification, via an email to the email address provided in their Application and will include the reason(s) for denial and their assigned Applicant ID Number.
- b. Applicants will have the right to Appeal the decision and will be provided information concerning the Section 207.2: Appeal Procedure.
- c. SHA's exercising of the Denial Procedure due to findings of Applicant ineligibility will not violate the rights of persons with Disabilities. If an applicant claims that their failure to respond to a request for information or updates was caused by a Disability, SHA Staff will verify that there is in fact a Disability and the Disability caused the failure to respond, and may provide a Reasonable Accommodation per Section 109.6.

F. Additional Provisions:



- 1. Any material misstatement of fact or deliberate fraud by a member of an Applicant Household in connection with any information submitted to SHA shall be cause for immediate expulsion from the application process and Program and/or forced Sale or vacation of the Housing Unit. In addition, any material misstatement of fact or deliberate fraud by the Applicant Household shall be referred to prosecution for perjury.
- 2. Conflict of Interest The SJDA Homeownership Program is subject to Section 111.8 Conflict of Interest.
- **3. Fraud Warning** The SJDA Homeownership Program is subject to the provisions of Section 101.10.
- **4. Disclaimer** The provisions of Section 101.8 apply to the SJDA Homeownership Program.

Section 204: WAITLIST CREATION AND MANAGEMENT PROCEDURE

204.1 Definitions:

- **1. Waitlist** The order in which Applicants are ranked to be considered for the opportunity to purchase a housing unit.
 - a. Admission to the Waitlist does not constitute an official offer, nor does it create any right or expectation that the Applicant will be eligible to purchase a Housing Unit. Placement on the Waitlist is solely for the purpose of determining potential future consideration and does not guarantee that the Applicant will be offered the opportunity to purchase a Unit. All offers to purchase are subject to availability, eligibility requirements, and compliance with applicable laws, policies, and procedures. Inclusion on the Waitlist is not a commitment by the housing authority to provide or offer housing.
- **2. Waitlist Drawing –** Applications will be randomly selected through the following procedure to determine the order of Applicant placement on the Waitlist.
- **3. Applicant List** An official list of the status of Applicants by their Applicant ID Number duly noticed in the Waitlist Application Drawing Public Notice.

204.2 Waitlist Drawing Procedure

- **A.** The Waitlist Drawing must be conducted at a duly noticed public meeting of the Silverton Housing Authority.
- **B.** The meeting must meet Board quorum in addition to the presence of the SHA Chair or designee, the SHA Secretary or designee, one SHA Staff member, and one unaffiliated third-party to be present to witness the entire process and verify the



assignment of entries to each Applicant and that each Applicant's entry(ies) is entered into the entry container.

- i. Unaffiliated third-party: an individual or entity that has no direct or indirect affiliation with the Silverton Housing Authority, Town of Silverton, San Juan Development Association, or San Juan County. This includes current or former employees, board members, or immediate family members of such individuals.
- **C.** The SHA Board shall make a motion to approve, or to approve with conditions, the Applicant List prior to the assignment of entries.
- **D.** Upon Board approval of the Applicant List, the SHA Secretary or designee shall assign one or more entry numbers to each Applicant, as specified in the adopted Applicant List. Each assigned entry number will be added to the entry container as it is assigned.
- **E.** The entry container shall be solid and non-transparent, and entries shall be sufficiently mixed
- F. After the SHA Chair or designee, SHA Secretary or designee, and the unaffiliated third party verify that all entries have been placed in the entry container, the unaffiliated third party shall thoroughly mix the entries and then draw them one at a time. The order in which entries are drawn will determine the Waitlist order. If an Applicant has multiple entries, only the first entry drawn will determine their placement on the Waitlist. Any additional entries for that Applicant will be recorded but will not affect the Waitlist order. The drawing process shall continue until all entries have been drawn from the entry container.
- **G.** The official Waitlist shall be posted on the front door of the Silverton Town Hall immediately following the adjournment of the SHA Board meeting and shall remain posted for a minimum of twenty-four (24) hours. Within twenty-four hours of the Waitlist Drawing, SHA Staff shall notify Applicants of their Waitlist position via email in the order established by the Waitlist.

204.3 Waitlist Management

- **A.** The Waitlist shall be maintained in accordance with the following guidelines:
 - 1. The Waitlist shall be of public record of the Silverton Housing Authority;
 - 2. Applications shall be permanent files;
 - 3. All communication between SHA Staff and Applicants shall be documented in the Applicant file.



- 4. All Applications will be maintained in the order of the Waitlist.
- **B.** Waitlist Implementation and Termination When the Property appears to be within ninety (90) days of the desired closing date, SHA Staff will contact and direct the Applicant in the first position of the Waitlist to complete the Buyer Approval Process.

1. Buyer Approval Process:

- Completion of the Income Verification process of Section 104, if it has not been completed within the past thirty (30) days, to confirm or deny Income Qualification for the Property.
- ii. Obtaining a Prequalification letter from mortgage lender if applicable or showing proof of available funds to purchase the property.
- iii. If an Applicant passes the Income Verification Process or mortgage Prequalification / proof of funds, the Applicant will formally be offered the Property for purchase. If Applicant does not pass the Income Verification Process or mortgage prequalification / proof of funds, the Applicant will be removed from the Waitlist and the next Applicant on the Waitlist will begin the Buyer Approval Process.
- iv. Reasonable Accommodation: Applicants may request a reasonable accommodation in accordance with the Americans with Disabilities Act if they require modifications to the Buyer Approval Process. Requests for accommodation must be submitted to the Silverton Housing Authority Staff upon initiation of the Buyer Approval Process, who will review and determine accommodation.
- 2. **Waitlist Termination** Upon Sale of the Property, the Waitlist will be terminated and the remaining Applicants on the Waitlist will be notified of such termination. The Waitlist for the SJDA Homeownership Program is non-transferable to other SHA Housing Programs.

Section 205: OWNERSHIP, USE, AND OCCUPANCY

205.1 Continuing Qualification ("Ownership") Standards – Owners of the Property must continuously adhere to the following qualification standards and the provisions of Section 106 for the entire duration of their ownership. Failure to meet these standards may result in enforcement actions, including but not limited to corrective measures, financial penalties, or other remedies as permitted by these Guidelines and Affordability Covenants.



- 1. Primary Residence Standard The Unit must be used as the sole and exclusive place of residence for the Owner for at least eight (8) of every twelve (12) months on a rolling twelve (12). Under circumstances outlined in the Unit's Affordability Covenants and Section 106.1 and 106.2 Rental Procedure, the Primary Residence Standard may be fulfilled by a Qualified Tenant(s).
 - a. Leave of Absence Owners who will not occupy their Housing Unit for any period in excess of four (4) months must apply for a Leave of Absence according to Section 106.1 A.1
 - **b.** Rental Procedure In cases where rental of a Housing Unit is permitted or required, Owners must comply with Section 106.2 Rental Procedure.
- **2. Prohibition of Short-Term Rentals** The Short-Term Rental, or the advertising of a Short-Term Rental, of all or any portion of the Property is prohibited.
- **205.2** Compliance Monitoring To verify compliance with the Affordability Covenants and these Guidelines, SHA or its assigns may conduct Compliance Checks and Annual Recertifications.
 - 1. **Compliance Checks**: SHA or its assigns may conduct Compliance Checks at any time to investigate complaints, reports, or indications of non-compliance with these Guidelines or Affordability Covenants.
 - a. Households must submit all necessary paperwork to verify that they remain in compliance with the Guidelines and Affordability Covenants within twenty-one (21) days of written notice of a Compliance Check or a penalty will be assessed according to Appendix D. It shall be the burden of the Household to provide all required information for compliance, and any missing or incomplete information or documentation or information that cannot be verified, shall be construed against the Household and may be grounds for the finding of non-compliance.
 - 2. **Annual Recertification**: Owners are subject to an annual recertification under oath by the Owner to SHA or its assigns stating the Unit has maintained the standards in accordance with these Guidelines and the Affordability Covenants.
 - a. Households must submit all necessary paperwork to verify that they remain in compliance with the Guidelines and Affordability Covenants within twenty-one (21) days of written notice of an Annual Recertification or a penalty will be assessed according to Appendix D. It shall be the burden of the Household to provide all required information for compliance, and any missing or incomplete information or



documentation or information that cannot be verified shall be construed against the Household and may be grounds for the finding of non-compliance.

205.3 Default by Owner

Owner shall be responsible for compliance with all terms of these Guidelines and Covenants. Any non-compliance with the terms of the Covenants or Guidelines or breach of any provision(s) set forth in the Covenants / Guidelines, including non-compliance of use and occupancy of the Property shall be deemed to be a Default by Owner, whether such non-compliance is a result of direct actions of the Owner of such non-compliance occurs during ownership and shall be enforced by the terms of the Affordability Covenants.

Section 206: SALE AND RESALE PROCEDURE

- **206.1** The Sale and Resale of the 735 Martha Rose Property shall be governed by Section 107: Initial Sale and Resale of Units.
- 206.2 In the event the Property is sold and/or conveyed without compliance with the Affordability Covenants or herewith, such sale and/or conveyance shall be wholly null and void and shall confer no title whatsoever upon the purported buyer.

Section 207: EXCEPTION, APPEAL, AND GRIEVANCE PROCEDURE

207.1 Exceptions - Exceptions will not be accepted nor granted for the Qualification Criteria for the SJDA Homeownership Program as to not conflict with the Colorado Department of Local Affairs' and San Juan County's restrictions on the Property.

207.2 Appeal Procedure

- **A. Definition:** An appeal is appropriate when an <u>Applicant</u> understands and acknowledges the requirements of these <u>Guidelines</u> and believes that provisions of the <u>Guidelines</u> have been applied incorrectly by <u>SHA Staff</u> or the SHA Board.
- **B.** Submission Process Appeals must be submitted in writing to SHA on forms available from SHA within ten (10) calendar days of the decision or determination being appealed and must include:
 - 1. The name, mailing and email address, and telephone number of the appellant(s) and of appellant's representative, if applicable;
 - 2. A narrative:



- i. identifying the specific determination being appealed;
- ii. establishing the particular ground(s) upon which the appeal is based;and
- iii. describing the action or remedy requested; and
- 3. The Appeal fee (See Appendix D).
- **C.** Hearing Process Appeal applications will be reviewed by SHA Staff for completeness and complete submissions will be forwarded to the SHA Board.
 - 1. Appeals shall be heard at the next regularly scheduled meeting following the submittal of a complete application unless noticing requirements cannot be met or additional time is required to prepare an appeal record. In such cases, the appeal shall be heard as soon thereafter possible.
 - Hearings shall be fair and provide for the basic safeguards of due process, including notice and an opportunity to be heard in a timely, and reasonable manner.
 - 3. The opportunity to examine all relevant documents, records, and regulations must be accommodated. Any document not made available after written request may be relied upon at the hearing. Parties to an appeal have the right to be represented by counsel at their own expense.
 - 4. Hearing shall be conducted by a "Hearing Officer" who shall be a designated member of the TOS Board of Adjustments or SHA Board as appropriate.
 - i. In the event a party fails to appear at the hearing, the hearing body may make a determination to continue the hearing, or a determination based upon the evidence submitted.
 - ii. The hearing shall be recorded and oral or documentary evidence may be received without strict compliance with the Colorado Rules of Evidence.
 - iii. The right to cross-examine shall be at the discretion of the Hearing Officer and may be regulated as the Hearing Officer deems necessary for a fair hearing.
 - 5. **Binding Determination** The SHA Board shall provide a final determination with findings to support the determination. Unless timely appealed, the determination shall be binding, and the SHA shall take all actions necessary to



carry out or enforce the decision. No further appeals or reconsiderations shall be permitted beyond the established appeal process.

207.3 Grievance Procedure

- A. **Definition:** A Grievance is any dispute that any person may have with the <u>SHA</u> regarding an action or failure to act in accordance with the individual's rights, duties, welfare, or status.
- B. **Submission Process:** Grievances must be submitted in writing to <u>SHA</u> within ten (10) days of the event or action giving rise to the grievance and must include:
 - **1.** The name, mailing and email address, and telephone number of the complainant(s) and of complainant's representative, if applicable;
 - 2. The particular ground(s) upon which the grievance is based;
 - 3. The action or remedy requested; and
 - 3. The Grievance fee (See Appendix D).
- C. **Hearing Process** The hearing process shall be as presented in Section 207.2.C.



EXHIBIT A

Property Legal Description

Lot 27 of the Anvil Mountain Subdivision, according to the recorded plat thereof filed for record on September 30, 2011, at Reception number 148169 and Amended Easement and Setbacks filed for record on July 25, 2019, at Reception number 152386 at the Clerk and Recorder's Office, San Juan County Colorado.