



TAHITIAN VILLAGE

Code of Conduct

The content of these documents applies to all current and future Tahitian Village Property Owners' Association Board Members (Board), Tahitian Village Architectural Control Committee Members (Committee) and Tahitian Village Employees (Staff), collectively referred from here forward as "all parties". When referring to the TV Property Owners' Association and Architectural Control Committee as entities, they will be listed as "TVPOA/TVACC" in this document.

Abiding by the policies and procedures as described in this document are considered a condition of being an elected or appointed member. All parties are responsible for reading, understanding and complying with the provisions as outlined herein. All parties are required to fully sign the Code of Conduct in acknowledgement of the following information at the first monthly business meeting after being elected.

Code of Conduct

As an integral part of the TVPOA/TVACC Code of Conduct, all parties are encouraged to exhibit thoughtful consideration of ethical standards as the Association's community leaders and staff. Further all parties are expected to accept certain responsibilities, adhere to professional business principles, morals and ethics in matters of personal conduct as representatives of Tahitian Village.

Each member's conduct reflects upon the TVPOA and TVACC and, therefore, are always encouraged to observe the highest standards of professionalism. This Code of Conduct is important and should be regarded seriously.

It is the responsibility of all parties to become familiar with these rules and standards, as well as all governing documents of the Association (CCRs, Bylaws). All parties are expected to follow them faithfully when conducting TVPOA/TVACC business, as well as adhere to the processes and the consequences should any individual fail to comply.

Please note that anyone who deviates from these rules and standards will be subject to the actions included.

This Code of Conduct is not meant to address every potential ethical dilemma but is offered as a basic framework and should be modified as needed.



TAHITIAN VILLAGE

Board/Committee - Code of Conduct

All Board and Committee members shall:

- Comply with current Bylaws, standards and practices as may be established from time to time the TVPOA or TVACC and all federal, state and local laws, ordinances and regulations in effect within Tahitian Village.
- Strive at all times to act and serve in the best interests of the Association as a whole regardless of their personal interests.
- Refrain from making inaccurate or misleading representations or statements.
- Use sound judgment to make the best possible business decisions for the Association, taking into consideration all available information, circumstances and resources.
- Act within the boundaries of their authority as defined by law and the governing documents of the Association.
- Sign a Non-disclosure agreement (NDA) to keep sensitive Association information confidential.
- Provide opportunities for residents to comment on decisions facing the Association.
- Perform their duties without bias for or against any individual or group of owners or non-owner residents.
- Conduct open, fair and well-publicized elections.
- Conduct themselves in a professional manner and a high degree of integrity at all times when acting in the scope of their term. This also demands that in both business and personal life, unethical behavior that might be harmful to the Association and colleagues is expressly prohibited.
- Disclose all relationships in writing to the Association regarding any actual, potential or perceived conflict of interest between self and other individuals or entities. Take all necessary steps to avoid any perception of favoritism or impropriety during the course of business to include, but not limited to, recusal in discussions and action taken. (Conflict of Interest form below).
- Always support all duly adopted board decisions - even if the Board member was in the minority regarding actions that may not have obtained unanimous consent. Personal opinions on board votes may be voiced, but must be done in a way that is professional, does not degrade any individual member or group, and does not disparage the Association.
- NOT make unauthorized promises to any individual or entity regarding action that may or may not be taken by the Association. This can include social media messages and personal email requests from residents for special privileges and/or decisions made without Board/Committee approval.
- NOT advocate or support any action that violates a law or regulatory requirement.
- NOT use their positions or decision-making authority for personal gain or to seek advantage over another owner or non-owner resident.

- NOT spend unauthorized Association funds for their own personal benefit or gain.
- NOT misrepresent known facts in any issue involving Association business.
- NOT divulge personal information about any Association owner, resident or employee that was obtained in the performance of board duties or reveal or share confidential information.
- NOT make personal attacks, harass, threaten or attempt through any means to control or instill fear in any board member, owner, resident, employee or contractor.
- NOT reveal to any owner, resident or other third party the discussions, decisions and comments made at any meeting of the board properly closed or held in executive session.

Signature

Date



TAHITIAN VILLAGE

Staff - Conduct of Code

All Staff shall:

- Comply with current Bylaws, standards and practices as may be established from time to time by the TVPOA or TVACC and all federal, state and local laws, ordinances and regulations in effect within Tahitian Village.
- Act in the best interests of the Association; refrain from making inaccurate or misleading representations or statements; not knowingly misrepresent or fail to disclose facts to the Board or Committee.
- Use sound judgment to make the best possible business decisions for the Association, taking into consideration all available information, circumstances and resources.
- Sign a Non-disclosure agreement (NDA) to keep sensitive Association information confidential.
- Exercise due care when executing directives specified by leadership solely within their job description or by duly adopted Board policies.
- Disclose all personal and professional relationships in writing to the Association regarding any actual, potential or perceived conflict of interest between Staff and other individuals or entities. The Staff shall take all necessary steps to avoid any perception of favoritism or impropriety during the course of business to include, but not limited to, recusal in discussions and action taken. (Conflict of Interest form below).
- Ensure that property owners receive timely notices for public meetings and elections as required by applicable laws and other governing documents.
- Recognize the original records, files and books held by the TVPOA and TVACC are the property of the Association and are to be returned to the Association at the end of employment. Ensure that all confidential documents and information are not shared as outlined in the signed Non-Disclosure Agreement (NDA).
- Conduct themselves in a professional manner and a high degree of integrity at all times when acting in the scope of their employment. This also demands that in both business and personal life, unethical behavior that might be harmful to the Association and colleagues is expressly prohibited.
- NOT spend unauthorized Association funds for their own personal benefit or gain.
- NOT divulge personal information about any Association owner, resident or employee that was obtained in the performance of staff duties.
- NOT make personal attacks, harass, threaten or attempt through any means to control or instill fear in any board member, owner, resident, employee or contractor.
- NOT reveal to any owner, resident or other third party the discussions, decisions and comments made at any meeting of the board properly closed or held in executive session.

Signature

Date



TAHITIAN VILLAGE

TVPOA/TVACC Conflict of Interest Form

To be completed by all TVPOA Board, TVACC Committee & Staff

Board/Committee Served: POA [] ACC [] TV Staff []

Term: _____

Name: _____

Address: _____

Contact Info: Phone _____ Email _____

- I have read and agreed to abide by the Tahitian Village Covenants Conditions and Restrictions, TVPOA Bylaws, Certificate of Formation and Code of Conduct.
- I have no conflicts or potential conflicts of interest to disclose.
- I have a conflict of interest.

Name of the individual/entity:

Relationship to the individual/entity:

Notes pertinent to the Conflict of Interest:

I hereby certify that the information above is true and complete to the best of my knowledge.

Signed: _____ Date: _____



TAHITIAN VILLAGE

TVPOA/TVACC Code of Conduct Enforcement Procedures

Before a Complaint is Filed

The allegations made will be taken seriously and could affect the career and livelihood of the accused. Therefore, consider carefully the action you are about to take. It is expected that you have attempted to work out any conflict you have with the individual prior to initiating the complaint.

It is important that the alleged violation not be confused with action required by the individual as a directive of the association's board of directors. For example, if an employee appears to have violated the code of ethics, but was following a directive given, it may not be a violation. The same situation may apply to a board or committee member. The staff member's role is to enforce the directives appropriately adopted by the board and the governing documents of the community. A disagreement with a staff, board or committee member over their interpretation of a policy, rule or regulation of the board is not in and of itself a violation of the code of ethics.

If the allegation is criminal in nature (i.e., theft, embezzlement) appropriate authorities should be notified and information on the submission or outcome should be included with this form. Review of the complaint may be suspended until judgment has been issued by a court.

Filing the Complaint

Complete the complaint form against the designee and identify the article (or codes) you are alleging the individual to have violated. Compile a narrative summary and evidence to support your allegations. For the complaint to have merit, it must fit precisely into one or more of the ethical standards. Documentation should point clearly to the standard being violated. It is important that proper supporting evidence accompany the complaint with clear and concise documentation identifying what makes it a piece of evidence. Statements that are alleged to be made verbally by an individual without collaboration of a third party or recorded will not be considered as evidence. An exhibit should only be submitted once and may reference several places in the complaint. Please do not submit the same piece of evidence multiple times. A lack of evidence could cause the complaint to be rejected. Consideration of the complaint will only begin after all pertinent information is received.

If you are collaborating with others in this complaint, only submit one complaint form. If complaints are received from multiple people submitting the same complaint that have the appearance of having been in collaboration, only one submission will be considered. Having multiple submissions does not add to the evidence. Complaints filed on behalf of a board must be accompanied by a signed resolution by a majority of the board stating the intent to file the complaint.



TAHITIAN VILLAGE

Code of Conduct Complaint Form

1. Complainant(s): Please enter your personal information:

Name(s): _____

Mailing Address: _____

Preferred Telephone Contact Numbers(s): _____

Email Address: _____

Relationship to the subject: _____

2. Respondent: Please enter the contact information of the accused individual:

Name(s): _____

Designation: _____ Entity Affiliated: _____

Mailing Address: _____

Telephone: _____ Email Address: _____

3. Components you allege have been violated (Please reference applicable Articles/Sections of Bylaws, CCRs, Ethics rules)

4. **Narrative Summary** Please attach a written account of the events leading to the alleged violation. (Complaints submitted without the attached summary will be returned to the Complainant.)

5. **Statement of Facts Supporting Alleged Violation(s)**

Please be as concise as possible. You must include supporting documentation for each allegation, clearly labeled and marked as an Exhibit listed below. Supporting documents may include governing documents, financial statements, letters, emails and other correspondence.

Exhibit 1. _____

Exhibit 2. _____

Exhibit 3. _____

Exhibit 4. _____

Exhibit 5. _____

Exhibit 6. _____

Exhibit 7. _____

If additional Exhibits are included in the Complaint package, please mark/label accordingly.

Signature

Date



TAHITIAN VILLAGE

Consequences of Non-Compliance

Each instance can be reviewed, discussed, and resolved (or no action taken) on a case-by-case basis.

If a complaint, meeting all the filing requirements above, is made against a Board/Committee member or a staff member, the complaint may be submitted to the POA or ACC member of their choice.

The board and committee will vote as separate entities on any issue/complaint. Any issue/complaint must be brought to, both, the POA and the ACC, whether or not the issue/complaint involves either. Any disciplinary decision will be made by, both, the POA and the ACC.

Any board/committee member or staff member committing an unlawful civil act of an egregious nature may be immediately terminated from employment or initiate a recall election for removal from the board, through the Bylaws process, or committee through the CCRs process. Decisions require a separate majority approval from both the board and the committee disregarding other disciplinary steps outlined below.

Any criminal violation of law must be handled by the proper authorities. Any discussion and/or actions taken by the Association must be in consultation with the POA/ACC legal counsel and handled on an individual, case-by-case basis.

Within 14 (fourteen) calendar days, the recipient of the complaint:

- Has 2 (two) days to complete the initial review of the complaint to ensure all corroborating evidence conforms with the submission requirements (see Code of Conduct Complaint Form). No decisions regarding the complaint(s) will be made at this time.
- Has 3 (three) days to disseminate the information for review among other relevant parties (for example, the full POA board and/or full ACC). These outside parties must not have a conflict of interest in the outcome(s) of the complaint resolution(s).
- As a collective, the recipient and outside parties have 7 (seven) days to conduct any private fact-finding meetings and an executive session with the relevant parties (in person or virtually) with whom the information was shared
- Has 2 (two) days to bring forth a resolution(s) that satisfies the majority of the Board and Committee in a separate vote by each entity.
- All complaints must remain on file with the Association for at least 5 (five) years.

3-strikes rule for board, committee, and staff:

The following describes the “3-strikes” rule and consequences. The 3-strikes cycle restarts every even year.

Strike 1 - Completion of a CAI ethics course

Course must be approved by the board and completed within 30 (thirty) days of the resolution with delivery of certification of completion to the board and committee. The cost of the CAI course will be split 50/50 between the Association and the Subject of the complaint.

This strike is deemed necessary when the Subject has demonstrated a lack of understanding or compliance with the ethical standards of the Association and our community. It shall be deemed satisfied with proof of successful completion of the course within 30-days. Failure to provide the

certificate of successful completion within the allotted time frame will result in Strike 2 as described below.

Strike 2 - Private Letter of Admonishment

This strike is deemed necessary when a violation(s) of the Code of Conduct occurred as a consequence of otherwise legal, but unethical behavior meriting this level of action. The Letter of Admonishment is designed to assist the Subject in professional development and will specify the Subject's actions that resulted in a breach of ethical standards. The Letter will contain suggestions for how such breaches may be avoided in the future and any additional appropriate conditions that could be performed, depending on severity of the violation(s).

The Letter of Admonishment will be penned following the Association's chain of command within the appropriate entity/entities.

Strike 3 - Employment Termination or Process for Removal

This is the final strike. Should the Subject reach this step, it will result in staff termination or prompt the POA or ACC removal process, as stated in the Bylaws or CCRs, respectively.