

DATE: January 8, 2021

FROM: The Hidden Manor Board of Directors

Thank you for taking interest in our community.

This response is in regard to the commercial vehicle policy.

Please see attached definition of a Commercial Vehicle as pertains to the Hidden Manor Community.

The Board of Directors has the right to “clarify” the CC&R’s. This is stated in section 13 of the “Interpretation” of the CC&R’s. It states, “Except for judicial construction, the Association shall have the exclusive right to construe and interpret the provisions of this Declaration, the Articles, Bylaws, Association Rules, and any other governing documents of the Association”.

In November 2019, the current Board at that time requested a legal opinion on this matter. Please see attached. This legal opinion supports the Boards position.

The Board spent the 14+ months researching the commercial vehicle issue. The following were looked at for a definition: The Arizona Department of Transportation, other state Departments of Transportation, Glendale Municipal codes, insurance companies, car dealerships and most importantly other HOAs. Definitions vary greatly. Other HOA’s overwhelmingly do not allow any type of commercials vehicles with the exception of a very few that allow limited signage.

The results of the 74 returned surveys conducted in November 2019 indicated the following. The community equally agreed and disagreed with the current definition. The community agreed that commercial vehicles negatively impact the aesthetic appearance of the community. The community slightly agreed to change / clarify the CC&R’s as written. Many are OK with small size signage.

With the results of the survey the Board of Directors clarified the definition of a commercial vehicle to include in the definition that a sign on two sides no larger than 30”W X 24”H will be allowed. This will allow for company vehicles etc.

Also note that there was a moratorium from November 2019 until January 1, 2021 for issuing any commercial vehicle violations until this issue is resolved.

After many months of input from many sources and a lot of Board member's time this will be the Board’s final decision.

The current definition became effective January 1, 2021 after a newsletter was sent out November 3, 2020 giving community members over 8 weeks to resolve any issues.

Thank you,

Hidden Manor Board of Directors