

Wellington Northeast

NOBLESVILLE, INDIANA

GRIEVANCE RESOLUTION CLAIM FORM

All members of the same Class shall have the same rights, privileges, duties, liabilities, limitations, and restrictions as the other members of that Class. All members shall abide by the Articles of Incorporation, these By-Laws, the rules, and regulations adopted by the Board of Directors, and all covenants, restrictions and other provisions contained in the Plat Covenants.

WNNa By-Laws, Art. III, §3.2

Subject to the grievance resolution procedures set forth in Article [11] of the Associations By-Laws, the right to enforce the within restrictions, limitations, payments of assessments, and covenants, as well as the provisions of the Association's By-Laws, whether such enforcement action is at law or in equity, is hereby dedicated and reserved to Owners of Lots, their heirs and assigns, as well as the Association, all of whom shall be entitled to such relief without being required to show any damage of any kind to any such Owner or Owners, by or through any such violation or attempted violation.

WNNa Covenants, Art. V.

Preamble

On November 20, 2022, the Wellington Northeast Neighborhood Association ("WNNa") Executive Committee, ("WNNa Exec. Cmte."), adopted the use of this "Grievance Resolution Claim Form" ("Claim Form") to facilitate the Grievance Resolution Process as adopted by the WNNa Covenants and By-Laws, and further codified by Ind. Code ch. 32-25.5-5 *et seq.* This Claim Form is **required** to be completed by any "claimant" for any "claim" made against any "respondent." Failure to complete this Claim Form fully and accurately, or otherwise abide by the requirements for commencing a "claim" under the Grievance Resolution Process, shall be treated as a failure to give adequate "notice of claim" under Ind. Code § 32-25.5-5-10.

Further, in the event that neither claimant nor respondent are members of the WNNa Exec. Cmte. and the "claim" is not made against the WNNa Exec. Cmte., the WNNa Exec. Cmte., pursuant to Ind. Code § 32-25.5-5-16 and the WNNa By-Laws, has established a Grievance Committee, who will facilitate the communication, meeting (if requested), and resolution of a "claim" between claimant and respondent.

Caution

While the Grievance Resolution Process is intended to be an "informal" process to resolve claims or matters that affect all Lot Owners, there are very serious obligations on the part of the parties to this process. No claimant should endeavor to file a claim against a respondent without first understanding the WNNa Covenants and By-Laws, the state laws, and procedures required under the Grievance Resolution Process. Many of these grievances can simply be resolved by communication and understanding without invoking the Grievance Resolution Process.

Acknowledgement

Each Lot Owner who utilizes this Claim Form or otherwise invokes the Grievance Resolution Process expressly, completely, and without reservation acknowledges that the information contained, gathered, or otherwise provided during the course of the Grievance Resolution Process shall be maintained by the WNNa in accordance with Indiana State Law and for record-keeping purposes. *See* Ind. Code § 32-25.5-3-3.

Further all parties to the Grievance Resolution Process agree and acknowledge their respective duty to act in good faith, apply due diligence, and treat each other with respect.

Wellington Northeast

NOBLESVILLE, INDIANA

Claimant Information:

Name: _____
Address: _____
Tel: _____
Email: _____

Respondent Information:

Name: _____
Address: _____
Tel: _____
Email: _____

Nature of Claim:

Please identify the type of "claim" you are making.

_____ A claim arising out of or relating to the interpretation, application, or enforcement of the governing documents.

_____ A claim relating to the rights or duties of the homeowners association or the board under the governing documents.

_____ A claim relating to the maintenance of the subdivision.

_____ Any other claim, grievance, or dispute among the parties involving the subdivision or the homeowners association, which is not an otherwise "exempt claim."

Please state plainly and concisely the following information:

- 1. The nature of the claim, including the date, time, location, persons involved, and the respondent's role in the claim.*
- 2. The basis of the claim, including the provision of the governing documents or other authority out of which the claim arises.*
- 3. What the claimant wants the respondent to do or not to do to resolve the claim.*

(Attach Additional Pages If Necessary)

Submit Claim Form To:
WNNA Grievance Committee
P.O. Box 785, Noblesville, Indiana 46061-0785
wnnahoa@gmail.com