

2.04

Noise Policy

Policy Goals:

The purpose of this policy is to provide enforcement of noise standards in an efficient manner only in those cases where it is appropriate for the board to be involved. The board is not here to police normal intra-neighbor relations or replace communication between neighbors.

Section 1: Definition of Unacceptable Noise:

An Owner shall not make or permit noise in or about any Unit or the Common Property which in the opinion of the Board is a nuisance or unreasonably interferes with the use and enjoyment of a Unit or the Common property by any other Owner or Occupant. No instrument or other device shall be used within a Unit which in the opinion of the board causes a disturbance or interferes with the comfort of others.

The board considers unacceptable noise to be any noise or disturbance that would cause a reasonable person to be so disturbed that they would call the police. If the disturbance is not of a nature that would require a call to the police, the board will consider that normal living noise and this policy will not apply.

The board cannot involve itself in cases of normal living noise as that would require the board to interfere with one or more residents' enjoyment of their suite, and the board cannot do that. The board will also not be involved in issues related to noise created by the type of flooring in the suite as the board does not have the power to regulate such installations.

Section 2: Enforcement of Noise Policy:

Upon receipt of a credible complaint where the complainant has called the police, the enforcements listed in this policy shall apply. Should the offending party be a tenant or a guest of a tenant all fines shall be against the unit's owner and it will be their sole responsibility to correct the actions of their tenants. Unit owners are responsible for all actions of themselves, their guests, their tenants, and their tenant's guests while anywhere on the common or private property of the condominium corporation and will be held as such. All fines shall be against the owner of the unit.

- I. **First incident:** The owner of the suite will receive a warning letter that indicates unacceptable behavior has occurred and advising them to take corrective action to avoid further action by the board.
- II. **Second incident:** A fine of **\$250** will be levied against the owner of the unit.
- III. **Third incident:** A fine of **\$500** will be levied against the owner of the unit.
- IV. **Fourth and all subsequent incidents:** A fine of **\$1000** will be levied against the owner of the unit. If the offending party is a tenant or guest of a tenant, then eviction proceedings may be initiated. All legal and court fees incurred by the board for these proceedings will be levied against the suite owner. All eviction proceedings must be approved by the board prior to proceeding.

The board authorizes its Property Manager to enforce this policy for all credible complaints where the complainant has called the police. The property manager will act only in clear cut cases of violation of this policy, all others will be referred to the board. The property manager will inform the board in a reasonable timeframe of all complaints and enforcement actions taken.

Section 3: Reporting of Incidents: Residents should report all incidents via email to the property manager (email address: wally@wruban.com) and provide as many details as possible including their unit number, the unit number of the offending party, and the police report number. The identity of the reporting party will be held confidential. Anonymous reports are not credible and will not be accepted. Residents without email may make a report via telephone to the Property Manager and must follow up with a written statement to the Property Manager.

Section 4: Appeal of Fines:

Any unit owner, upon receipt of a letter notifying them of fines or penalties levied against their unit due to violations of this policy, may within 30 days from the date of the letter appeal the fines or penalties in writing to the board. The board will notify the unit owner in writing of its decision at its earliest convenience.