

**ASSOCIATION OF UNIT OWNERS OF ST. JOHNS COURT
CONDOMINIUM
Resolution of the Board of Directors**

**RIGHT-OF-ENTRY TO A UNIT
RESOLUTION**

Background

1. St. Johns Court Condominium is a condominium located in Portland, Multnomah County, Oregon. The Condominium was created pursuant to the Oregon Condominium Act, ORS Chapter 100.
2. St. Johns Court Condominium and the owners therein are governed by:
 - 2.1. Restated Declaration Submitting St. Johns Court Condominium to Condominium Ownership (“Declaration”), recorded as document number 2006-080853, and any amendment thereto; and
 - 2.2. Bylaws of the Association of Unit Owners of St. Johns Court Condominium (“Bylaws”), and any amendments thereto.
3. The Association of Unit Owners of St. Johns Court Condominium (“Association”) was created to oversee the affairs and operations of the community.
4. Pursuant to ORS 100.405, the Association is entitled to adopt rules and regulations for the community subject to the provisions of the Declaration and Bylaws.
5. Pursuant to Section 9.1 of the Declaration and ORS 100.540, the Association shall have the right of access to each unit as may be necessary for the maintenance, repair, or replacement of the common elements, or to make emergency repairs therein necessary for the public safety or to prevent damage to the common elements or to another unit.
6. Pursuant to Section 9.1 of the Declaration, each unit owner shall, upon request, leave a key to their unit with the Board of Directors of the Association to be used in such emergencies, and the Board of Directors may allow the property manager to have access to the keys for emergency use.

7. Pursuant to ORS 100.540, an Association's request for entry to a unit requires reasonable advance notice, except in the case of an emergency, when the right of entry is immediate.
8. Pursuant to ORS 100.540, an emergency entry does not constitute trespass or otherwise create any right of action in the unit owner or resident against the Association, including the Directors, the Managing Agent, or employees of the Association or Managing Agent.
9. For the benefit and protection of the Association and of the individual owners, the Board of Directors deems it necessary and desirable to establish a formal resolution for handling the Association's right of entry to an individual owner's unit.

Resolution

1. THE ASSOCIATION'S RIGHT OF ENTRY TO A UNIT
 - A) For the purpose of performing maintenance and/or responding to an emergency, the Association's agents or employees shall have the right to enter an individual unit to perform repairs, improvements, replacements, or maintenance to common elements, or to perform emergency repairs necessary for the public safety, or to prevent damage to the common elements or to another unit.
 - B) Except in cases of emergency, the notice of entry must be delivered in a method reasonably calculated to reach the owner of the unit at least 24 hours prior to entry. However, if the Association has reason to believe that the owner or resident cannot be reached within that time, then the notice may be posted on the exterior surface of the unit's entry door.
 - i) The Association has the right of entry into any unit, after 24 hours' notice, for the purpose of:
 - a) Maintenance, repair, or replacement of the Common and Limited Common Elements; or
 - b) Maintenance or repair of the unit or Common or Limited Common Elements, if necessary, for the public safety or to prevent damage to the Common or Limited Common Elements or to another unit.

- C) In cases of emergency, the Association may enter a unit without giving notice; however, notice must be delivered within a reasonable time after entry, and must include an explanation of the emergency that prompted entry.
- D) The Association's right of entry is deemed an emergency if the entry is necessary to prevent imminent damage to the Common or Limited Common Elements, or to another unit, or to protect the public health and safety of all persons within the Association's grounds.
 - i) Examples of emergencies include, but are not limited to, gas leaks, fire within a unit, water leaks, or a water shut-off affecting the water supply of the Association or other individual units.
- E) If the unit owner did not provide the Board of Directors a key to their unit as per Section 9.1 of the Declaration, the Association reserves the right to make an emergency entry by any reasonable means necessary, including, but not limited to, hiring a locksmith to enter the property. Such an entry shall be made with as little damage and inconvenience to the unit owner as practicable.
 - i) Any costs associated with entering the unit for an emergency where a key was not provided shall be billed to the owner and shall be collected in the same manner as regular assessments.

2. MISCELLANEOUS

- 2.1. The Association reserves the right to amend, revise, or add to this Resolution as deemed necessary.
- 2.2. A copy of this Resolution shall be sent or delivered to all owners.

Dated:

Michael O'Rourke
President

Lumen McKee
Secretary