

**MINUTES OF THE OPEN MEETING OF THE  
BOARD OF DIRECTORS OF UNITED LAGUNA WOODS MUTUAL  
A CALIFORNIA NON-PROFIT MUTUAL BENEFIT CORPORATION**  
**Amended March 14, 2017 at the Regular Board Meeting**  
**February 14, 2017**

The Regular Meeting of the Board of Directors of United Laguna Woods Mutual, a California Non-Profit Mutual Benefit Corporation, was held on Tuesday, February 14, 2017 at 9:30 AM at 24264 El Toro Road, Laguna Woods, California.

Directors Present: 1<sup>st</sup> VP - Jan LaBarge, Janey Dorrell, Juanita Skillman, Don Tibbetts, Pat English, Steve Leonard, Maggie Blackwell, Andre Torng, Gary Morrison, and Prakash (Cash) Achrekar

Directors Absent: Lenny Ross

Staff Present: Open Session: Brad Hudson and Leslie Cameron  
Executive Session: Brad Hudson, Leslie Cameron, and Blessilda Fernandez

Others Present: Jeffrey Beaumont Esq. of Beaumont Gitlin Tashjian

**(1) CALL TO ORDER**

Jan LaBarge, 1<sup>st</sup> VP of the Corporation, chaired and opened the meeting, and stated that it was a Regular Meeting held pursuant to notice duly given. A quorum was established, and the meeting was called to order at 9:30 AM.

**(2) PLEDGE OF ALLEGIANCE**

Director Andre Torng led the Pledge of Allegiance to the Flag.

**(3) ACKNOWLEDGEMENT OF MEDIA**

A representative of the Laguna Woods Globe was present for the meeting, and the Channel 6 Camera Crew, by way of remote cameras, was acknowledged as present.

**(4) APPROVAL OF AGENDA**

Director Leonard asked to pull 317-C variance request and place as 13 (a). Without objection the agenda was approved as amended.

**(5) UNITED MUTUAL MEMBER COMMENTS AND PUBLIC FORUM**

United Mutual Members were given the opportunity to speak to items within the jurisdiction of the Board of Directors.

- Chris Collins (336-Q) from the Laguna Woods Foundation gave a brief update and thanked everyone for their support of the Laguna Woods Foundation.
- Mark Carlson (2294-A) commented on the Trust Facilities Fee, remodeling, and the Realtors Meeting on February 3, 2017
- Roberta Berk (933-B) commented on the first right of refusal and asked how it works
- Tom Bice (591-N) presented his appeal for guarantor on 463-B

- Maxine Macintosh (68-C) commented on the Board Room remodel and the positioning of the lectern
- Pamela Grundke (2214-B) commented on the bus drivers and honored a passed Board Member
- Connie Grundle (2214-B) honored a passed Board Member
- Roberta Berk (4214-B) honored a passed Board Member and thank the Board for their continued effort
- Katrina Pederson (674-B) Commented on the pruning of Village trees

#### **(6) RESPONSE TO MEMBER COMMENTS**

United Mutual Directors Achrekar, Blackwell, Torng, Morrison, English, Dorrell, Skillman, Leonard, Tibbetts, and Mr. Hudson briefly responded to Member Comments.

#### **(7) REPORT OF THE CHAIR**

1<sup>st</sup> VP LaBarge commented the following:

- The town hall meeting will be held on February 28, at 4:30 PM Performing Arts Center
- Permission has been granted to operate United's solar panels
- A goal Meeting was held to find effective ways to use funds for infrastructure
- United Mutual is working with VMS Board on ways to save money on maintenance

#### **(9) Update from VMS Director – Director Liberator**

Director Liberator, VMS Director, gave an update on goals from VMS, the Strategic Plan, and gave kudos to specific staff members.

#### **(8) REPORT OF CEO**

Brad Hudson, CEO President, spoke about the following;

- Free movies are being offered at the Performing Arts Center.
- Resident transportation will be available for destination shopping to the Aliso Viejo Town Center every Tuesday beginning March 7, 2017.
- The Easy Rider Bus Guide is now available to the community.
- Gates 5 and 6 are still operating successfully.
- Improvements for TV-6 will continue to improve into the next year.
- Theft of bikes and golf cart chargers are on the rise and Mr. Hudson advised the Community to lock up all valuables.
- Compliance is moving quickly through Resident issues and if you feel you have a compliance issue please call and make an appointment.
- 2016 end of year projections came in under budget while more services are being provided.
- Chris Spahr is the new customer service administrator and is currently in the process of streamlining customer service.

#### **(10) APPROVAL OF MINUTES**

Director Skillman moved to amend page 16 of 16 on the non-smoking policy to state, ***Per Resolution 01-08-21, adopted February 12, 2008***, and moved to approve the Regular

minutes of January 10, 2017 as amended and approved the Special Open Session minutes of January 26, 2017 as written. By a vote of 9-0-0 the motion carried.

**(11) CONSENT CALENDAR**

Director Morrison moved to move item 11 (a) to item 13 (a) and the Consent Calendar was approved as amended. Director English seconded the motion. By a vote of 9-0-0 the motion carried.

**RESOLUTION 01-17-12**

**Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Ms. Cheryl L Blik of Manor 317-C Avenida Castilla to change location, size and type of front entry door, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 317-C Avenida Castilla; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

**RESOLVED FURTHER**, the door must be installed in accordance with United Laguna Woods Mutual Standard Section 31: Window and Window Attachments; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, no Neighbor Awareness Forms are required from manor 317-C Avenida Castilla, as the proposed alterations would be installed within a gated and limited access front patio, therefore not visible to neighboring Manors; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-13**

**Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Ms. Cheryl L Blik of Manor 317-C Avenida Castilla to change the size and type of patio sliding glass door, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 317-C Avenida Castilla; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

**RESOLVED FURTHER**, the door must be installed in accordance with United Laguna Woods Mutual Standard Section 11: Door, Exterior; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, no Neighbor Awareness Forms are required from manor 317-C Avenida Castilla, as the proposed alterations would be installed within a gated and limited access front patio, therefore not visible to neighboring Manors; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-14**

**Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Ms. Cheryl L Blik of Manor 317-C Avenida Castilla to change the size and type of living room and bedroom 1 windows, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 317-C Avenida Castilla; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, detailed site specific plans, wet-stamped and signed by a California licensed architect or engineer, must be submitted to the Permits and Inspections office located in the Laguna Woods Village Community Center prior to issuance of a permit. These plans must detail the required structural modifications necessary to ensure that the structural integrity of the building is maintained upon completion of the window additions; and

**RESOLVED FURTHER**, the windows must be installed in accordance with United Laguna Woods Mutual Standard 31: Window and Window Attachments; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, no Neighbor Awareness Forms are required from manor 317-C Avenida Castilla, as the proposed alterations would face a common area wall with no views from other manors; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

### **ENDORSEMENT**

#### **Mr. & Mrs. Larry Kordower of 448-B Avenida Sevilla to Extend Patio and Relocate Gate Across Walk Path and Onto Flower Bed**

By way of the Consent Calendar, the Committee unanimously voted to recommend the Board deny the request to extend patio and relocate gate across walk path and onto flower bed as it fails to follow Mutual Standards.

### **RESOLUTION 01-17-15**

### **Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Mr. & Mrs. Larry Kordower of Manor 448-B Avenida Sevilla to extend patio and relocate gate across walk path and onto flower bed; and

**RESOLVED FURTHER**, the denial is due to the finding that the proposed alteration fails to follow Mutual Standard; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution

### **RESOLUTION 01-17-16**

#### **Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Mr. Timothy Oestmann of Manor 786-C San Sebastien to to extend the living room into the front patio, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 786-C San Sebastien; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, the living room extension must be installed in accordance with United Laguna Woods Mutual Standards Section 11: Doors, Exterior and Section 31: Window and Window Attachments; and

**RESOLVED FURTHER**, neighbor Awareness Forms are required to be submitted from affected neighbors at 787-C San Sebastien; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution

**RESOLUTION 01-17-17**

**Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Mr. & Mrs. Jacinto B Holland Manor of 2012-D Via Mariposa West request to extend living room into the front patio area, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 2012-D Via Mariposa West; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, the living room extension must be installed in accordance with United Laguna Woods Mutual Standards Section 11: Doors, Exterior and Section 31: Window and Window Attachments; and

**RESOLVED FURTHER**, a copy of the Roof Alteration Notification (Tie-In Form) must be submitted to the Laguna Woods Village Manor Alterations Department; and

**RESOLVED FURTHER**, installation of room addition and roof must follow the architectural plane of the existing exterior wall of the manor and shall not jog out; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**(b) Landscape Committee Recommendations:**

315-A Approve Request for Lawn Replacement with Xeriscape Planting  
2148-C Deny Request for Tree Removal

**(c) Finance Committee Recommendations:**

**RESOLUTION 01-17-18**

**Recording of a Lien**

**WHEREAS**, Member ID 947-420-77; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-420-77 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-19**

**Recording of a Lien**

**WHEREAS**, Member ID 947-379-70; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-379-70 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-20**

**Recording of a Lien**



**WHEREAS**, Member ID 947-434-34; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-434-34 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

#### **RESOLUTION 01-17-21**

##### **Recording of a Lien**

**WHEREAS**, Member ID 947-363-14; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-363-14 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

#### **RESOLUTION 01-17-22**

##### **Recording of a Lien**

**WHEREAS**, Member ID 947-385-17; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-385-17 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-23**

**Recording of a Lien**

**WHEREAS**, Member ID 947-416-10; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-416-10 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

**RESOLUTION 01-17-24**

**Recording of a Lien**

**WHEREAS**, Member ID 947-453-21; is currently delinquent to United Laguna Woods Mutual with regard to the monthly assessment; and

**WHEREAS**, a Notice of Delinquent Assessment (Lien) will be filed upon adoption of this resolution following at least a majority vote of the Board (with no delegation of such action by the Board), acting in an open meeting, and for which the Board's vote is recorded in the minutes;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves the recording of a Lien for Member 947-453-21 and;

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

## **COMMITTEE REPORTS**

### **(12a-c) Finance Report**

Director Pat English reported from the Finance Committee, gave a United Mutual financial update, gave a brief update on delinquencies, and commented on the Resale Activities Report.

### **(13) Maintenance and Construction Committee**

Director Tibbetts reported from the Maintenance and Construction Committee. Discussion ensued and questions were addressed.

#### **(a) 317-C Variance Request to Change the size and type of living room and bedroom windows**

Co-chair LaBarge was concerned about the architectural issue with the size, proportion, and consistencies of the windows with no contingencies. Staff explained the size of the windows and Director Leonard included further clarification that the consistency of the window sizes will not differ much.

### **RESOLUTION 01-17-11**

#### **Variance Request**

**RESOLVED**, February 14, 2017, that the variance request of Ms. Cheryl L Blik of Manor 317-C Avenida Castilla to extend living room into the front patio area, is hereby approved; and

**RESOLVED FURTHER**, all future costs and maintenance associated with the subject alterations are the responsibility of the Mutual member(s) at 317-C Avenida Castilla; and

**RESOLVED FURTHER**, a required Mutual Consent for Manor Alterations and a City of Laguna Woods permit must be obtained and the appropriate City of Laguna Woods permit number(s) must be submitted to the Manor Alterations Department office located in the Laguna Woods Community Center; and

**RESOLVED FURTHER**, unit-specific plans depicting the proposed alterations, signed and wet-stamped by a California-licensed architect or engineer must be submitted to the Manor Alterations Department office located in the Laguna Woods Village Community Center for approval. These plans must include structural details and calculations required to insure the structural integrity of the building is maintained upon completion of the proposed front room addition; and

**RESOLVED FURTHER**, the living room extension must be installed in accordance with United Laguna Woods Mutual Standards Section 11: Doors, Exterior and Section 31: Window and Window Attachments.; and

**RESOLVED FURTHER**, all alterations must be in accordance with the State Building Code regulations; and

**RESOLVED FURTHER**, no Neighbor Awareness Forms are required from manor 317-C Avenida Castilla, as the proposed alterations would be installed within a gated and limited access front patio, therefore not visible to neighboring Manors; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Tibbetts moved to accept the variance request and seconded by Director Leonard the motion carried unanimously

**(14) Landscape Committee**

Director Maggie Blackwell reported from the Landscape Committee.

**(a)** Director Skillman, Secretary, read resolution 01-17-25 to rescind resolution 1-15-58 Regarding Trimming of Trees in United. Discussion ensued.

**RESOLUTION 01-17-25**

Trimming of Trees in United Mutual

**WHEREAS**, the ArborPro software system is in the process of inventorying all of the trees in the Community; and

**WHEREAS**, the ArborPro system will become the principle tool for managing the tree trimming schedule; and

**WHEREAS**, Resolution 01-15-58 restricted tree trimming to occur only during the period of August 1 through January 31<sup>st</sup>, with the exception of trees that may pose a hazard and young trees that may require more frequent trimming; and

**WHEREAS**, the cost to complete the tree trimming cycle in 2017 in United is \$375,000; and

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, the Board of Directors of this Corporation hereby rescinds Resolution 01-15-58 and approves an unbudgeted expenditure of \$375,000 from the Reserve Fund – Tree Maintenance to allow tree work to be completed in 2017 and;

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Skillman made a motion to approve resolution 1-17-25 and by a vote of 9-0-0 the motion carried unanimously

Katarina Pedersen (674-B) commented on keeping resolution 1-15-58

Dick Rader (276-D) commented on Arbor Pro

Director Mary Stone (356-C), Barbara Copley (410-D), and Mike Landers (693-B) commented in favor of the Resolution

Directors Blackwell, Morrison, and Leonard responded.

**(15) Governing Documents Review Committee**

Director Skillman reported from the Governing Documents Review Committee.

**(16) Report of the Communications Committee – Jan LaBarge**

Director LaBarge reported from the Communications Committee.

**(17) Laguna Woods Village Traffic Hearings**

Director Tibbetts reported from the Laguna Woods Village Traffic Hearings.

**(18) Report of the Preparedness Disaster Committee**

Director Andre Torng reported from the Report of the Preparedness Disaster Committee.

**(19) Report on Disciplinary Cases**

President ~~Lenny Ross~~ [Jan LaBarge](#) provided an update on the Disciplinary cases.

**(20) UNFINISHED BUSINESS**

**(a) Entertain Motion to Approve the United Mutual Non-Smoking Policy – Resolution (the 30 day notification requirement has been satisfied)**

Secretary of the Board, Director Juanita Skillman, read the following resolution approving the United Mutual Non-Smoking Policy:

**RESOLUTION 01-17-26**

**WHEREAS**, the Governing Documents Review Committee has recommended adopting a Non-Smoking Policy, to fairly and reasonably address smoking in Laguna Woods Village; and

**WHEREAS**, United Laguna Woods Mutual has received numerous complaints from various residents concerning odors and annoyance in and around manors caused from residents second-hand smoke and smoke infiltration;

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors of this Corporation hereby adopts the "Non-Smoking Policy," as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Director Skillman moved to approve the resolution as written. Director English seconded the motion.

By a vote of 9-0-0 the motion carried unanimously.

**(b) Entertain Motion to Approve an Additional Occupant Fee in the Amount of \$90 for Each Additional Occupant Over Two – Resolution (the 30 day notification requirement has been satisfied)**

Secretary of the Board, Director Juanita Skillman, read the following proposed resolution approving revisions to the Additional Occupant Fee:

**RESOLUTION 01-17-32**

**Additional Occupant Fee**

**WHEREAS**, the basic assessment for United Laguna Woods Mutual is divided equally by the number of units in the Mutual, regardless of how many individuals occupy a unit; and

**WHEREAS**, the Mutual desires to recover incremental operating expenses, such as utilities and maintenance, incurred as a result of additional occupants; and

**WHEREAS**, an additional occupant fee will be calculated annually at 25% of the Total Basic Assessment (excluding property tax, property insurance, and GRF amounts), rounded to the nearest whole dollar; and

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors of this Corporation hereby approves charging an Additional Occupant Fee in the amount of \$90 per manor per month for each additional occupant over two, effective April 1, 2017; and

**RESOLVED FURTHER**, that such fee shall be reflected on the Fee Schedule; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized on behalf of the corporation to carry out the purpose of this resolution.

Director Leonard moved to approve the resolution as written. Director Torng seconded. Discussion ensued.

Director Blackwell moved to amend the motion to amend the resolution to charge a Third Occupant Fee of \$50 per Manor instead on \$90 per Manor. Seconded by Director Tibbetts and by a vote of 5-3-1 (Directors Leonard, Morrison, and Dorrell opposed and Director Torng abstained) the amended motion carried.

Director Mary Stone (356-C) spoke in favor of the \$50 fee  
Roberta Berk (933-B) commented on the occupant fee

**(c) Entertain Motion to Approve Revisions to Deactivation of Cable Service at a Delinquent Member's (Shareholders) Unit (the 30 day notification requirement has been satisfied)**

Secretary of the Board, Director Juanita Skillman, read the following resolution approving the [Revisions Deactivation of Cable Service at a Delinquent Member's \(Shareholders\) Unit Care Provider](#) Policy and Forms:

**RESOLUTION 01-17-27**

**Deactivation of Cable Service at a Delinquent Member's (Shareholder's) Unit**

**WHEREAS**, United Laguna Woods Mutual desires to strengthen delinquency collection procedures; and

**WHEREAS**, the Collection and Lien Enforcement Policy And Procedures For Assessment Delinquencies states "Until the Shareholder has paid all amounts due, including delinquent assessments, late charges, interest and fees and costs of collection, including attorneys' fees, the Board of Directors may suspend the Shareholder's right to vote, and suspend the Shareholder's right to use United's recreational facilities and/or the facilities or services provided by the Golden Rain Foundation of Laguna Woods after providing the Shareholder with a duly noticed hearing pursuant to Civil Code Section 5855"; and

**WHEREAS**, the GRF Board adopted Resolution 90-15-09 which authorizes GRF, at the request of the Mutual, to take disciplinary or suspension action against a Mutual Member which includes, but is not limited to, the suspension of the Mutual Member's right to use the cable TV system; and

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors hereby approves deactivation of cable service at a delinquent

Member's unit when an assessment amount is 60 days or more past due and after providing the Member with an opportunity to be heard, except when a Member's payment plan is approved by the Board and remains current; and

**RESOLVED FURTHER**, that Resolution 01-15-61, adopted May 12, 2015, is hereby superseded and canceled; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Skillman moved to approve the resolution as written. Director Blackwell seconded.

Director Tibbetts moved to include disciplinary fees and fines to the resolution for cable deactivation.

By a vote of 9-0-0 the amended motion carried

The Board referred to Jeffrey Beaumont, Esq. for legal guidance on adding the following verbiage to the Collection and Lien Enforcement Policy; *fees for disciplinary matters at the discretion of the Board*. Jeffrey Beaumont, Esq. suggested to the Board that they should change the Collection and Lien Enforcement Policy before adding the Board approved verbiage to the Resolution.

The amended resolution presented for 30 days initial notification should be placed on March Board Meeting.

**(d) Entertain Motion to Approve the Care Provider Policy and Forms – Resolution (initial notification – (the 30 day notification requirement has been satisfied)**

Secretary of the Board, Director Juanita Skillman, read the following resolution approving the Care Provider Policy and Forms:

**RESOLUTION 01-17-28**

**WHEREAS**, the Governing Documents Review Committee has recommended revising the Care Provider Policy, to fairly and reasonably address part-time, long-term, and terminal health care providers; and

**WHEREAS**, the current Permitted Health Care Provider policy addresses live-in care providers only:

**NOW THEREFORE BE IT RESOLVED**, February 14, 2017, that the Board of Directors of this Corporation hereby amends the "Permitted Health Care



Provider Policy,” and renames it to “Care Provider Policy,” as attached to the official minutes of this meeting; and

**RESOLVED FURTHER**, that Resolution 01-13-176 adopted October 16, 2013 is hereby superseded and canceled; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out this resolution as written.

Director Skillman moved to approve the resolution as written and seconded by Director English. By a vote of 9-0-0 the motion carried

**(21) NEW BUSINESS**

**(a) Entertain Motion to Approve Single Sourcing to Martin & Chapman Inspector of Election Services for 2017 – Resolution**

Secretary of the Board, Director Juanita Skillman, read the following resolution approving Single Sourcing to Martin & Chapman Inspector of Election Services for 2017:

**RESOLUTION 01-17-29**

**Approve Inspector of Election Services to  
Martin and Chapman**

**RESOLVED**, February 14, 2017, that due to Martin and Chapman’s agreement to conform to the criteria established in the specifications as an Inspector of Election, carrying the proper insurance, and its familiarity with the Community, the Board of Directors of this Corporation hereby approves Martin and Chapman as the Inspectors of Election for the 2017 Director election and agrees to single-source the contract; and

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Skillman moved to approve the resolution as written. Director English seconded.

By a vote of 9-0-0 the motion carried

**(b) United Board Review of Proposed Meeting schedule**

This item was postponed until the next Board Meeting.

**(c) Entertain Motion to Approve Revisions to the United Mutual Committee Appointments – Resolution**

**RESOLUTION 01-17-30**

**United Laguna Woods Mutual Committee Appointments**

**RESOLVED**, February 14, 2017 that the following persons are hereby appointed to serve the Corporation in the following capacities:

**Communications Committee**

Jan LaBarge, Chair  
Maggie Blackwell, Co-Chair

**Executive Hearings Committee**

Juanita Skillman, Chair  
Lenny Ross, Co-Chair  
Janey Dorrell

**Finance Committee**

Pat English, Chair  
Gary Morrison, Co-Chair  
Juanita Skillman  
Andre Torng  
Non-voting Advisors: Cynthia Statsmann

**Governing Documents Review Committee**

Juanita Skillman, Chair  
Maggie Blackwell, Co-Chair  
Steve Leonard  
Non-voting Advisor: Bevan Strom, Mary Stone, Barbara Copley

**Laguna Canyon Foundation**

TBD

**Laguna Woods Village Traffic Hearings**

Lenny Ross – Morning *Afternoon*  
Don Tibbetts – Afternoon *Morning*

**Landscape Committee**

Maggie Blackwell, Chair  
Juanita Skillman, Co-Chair  
Andre Torng  
Non-voting Advisors: Pamela Grundke, ~~Paula Minnehan~~, **Barbara Copley**

**Maintenance and Construction Committee**

Don Tibbetts, Chair  
Steve Leonard, Co-Chair  
Jan LaBarge

Janey Dorrell  
Pat English  
Non-voting Advisor: Del Ng

**New Resident Orientation**  
Per Rotation List

**Preparedness for Disaster**

Andre Torng, Chair  
Janey Dorrell, Co-Chair  
**Gary Morrison**  
**Prakash (Cash) Achrekar**  
Non-voting Advisors: Kathleen Matthews

**Resident Advisory Committee**

Juanita Skillman, Chair  
Andre Torng, Co-Chair  
Non-voting Advisors: Kay Anderson, Nancy Lannon

**RESOLVED FURTHER**, that Resolution 01-16-114, adopted December 13, 2016 is hereby superseded and canceled.

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Skillman moved to approve the resolution as written. Director Dorrell seconded.

By a vote of 9-0-0 the motion carried unanimously

**(d) Entertain Motion to Approve Revisions to the GRF Committee Appointments – Resolution**

**RESOLUTION 01-17-31**

**Golden Rain Foundation Committee Appointments**

**RESOLVED**, December 13, 2016, that, in compliance with Article 7, Section 7.3 of the Golden Rain Foundation Bylaws, adopted September 29, 2014, the following persons are hereby appointed to serve on the committees of the Golden Rain Foundation:

**Business Planning**

Pat English  
Lenny Ross

**Community Activities**

Jan LaBarge  
Janey Dorrell

**Finance**

Pat English  
Lenny Ross

**Financial Reporting Study Group**

Pat English  
Lenny Ross

**Landscape Committee**

Juanita Skillman  
Maggie Blackwell

**Maintenance & Construction**

Don Tibbetts  
Steve Leonard

**Media and Communications Committee**

Jan LaBarge  
Juanita Skillman

**Mobility and Vehicles Committee**

Janey Dorrell  
Steve Leonard

**Security and Community Access**

Gary Morrison  
Andre Torng

**Town Hall Meetings**

Per Rotation

**RESOLVED FURTHER**, that Resolution 01-16-115, adopted December 13, 2016, is hereby superseded and cancelled.

**RESOLVED FURTHER**, that the officers and agents of this Corporation are hereby authorized on behalf of the Corporation to carry out the purpose of this resolution.

Director Skillman moved to approve the resolution as written.  
By a vote of 9-0-0 the motion carried

**(e) Town Hall for Land Use on Tuesday February 28, 2017 at 4:30 P.M. in the Laguna Woods Village Performing Arts Center**

An announcement was given informing the community the time, date, and location of the Town Hall for Land Use

**(22) GRF COMMITTEE HIGHLIGHTS**

- Director Dorrell commented on the village games in October
- Director La Barge commented on an MACC
- Director Skillman commented on the landscape committee and Arbor Pro
- Director Tibbetts commented on the next M&C being held in April
- Director Leonard commented on a bus tour
- Director Torng commented on the Community Access Committee

**(23) DIRECTOR'S FORUM**

- Directors Skillman and Dorrell wished everyone a Happy Valentine's Day
- Director Leonard commented on an e-mail blast and letters to purchase decals and the guidelines for charging electric vehicles

**(24) MEETING RECESS**

The Regular Open Session Meeting recessed for lunch at 12:05 PM and reconvened into the Regular Executive Session at 12:53 PM.

**ADJOURNMENT**

With no further business before the Board of Directors, the meeting was adjourned at 3:42 PM.

**Summary of Previous Closed Session Meetings per Civil Code Section §4935**

During the December 13, 2016, Regular Executive Session meeting, the Board reviewed and approved the minutes of November 8, 2016 – Regular Executive Session; the Board held no Disciplinary Hearings; discussed and considered numerous Member Disciplinary matters; discussed and considered Member Requests; discussed Personnel matters; discussed and considered Membership and Occupancy matters; discussed and considered Contractual matters; and discussed and considered Litigation matters; discussed recording of a notice of sale for three units.

---

Juanita Skillman, Secretary  
United Laguna Woods Mutual

## **Non-Smoking Policy**

Adopted ~~Month~~February, ~~Day~~14, 2017

Resolution 01-17-26

### **I. Purpose**

The purpose of this document is to define the policies of United Laguna Woods Mutual (ULWM) regarding smoking in private units and common area.

### **II. Definitions**

For the purposes of this policy:

- a. Common area means the area which is available for use by more than one person.
- b. Community Rules are defined as the Bylaws, Occupancy Restrictions, Articles of Incorporation, or any rules and regulations of ULWM.
- c. Enclosed is defined as an area closed in by a roof and contiguous walls or windows, connected floor to ceiling with appropriate opening for ingress and egress.
- d. Member is defined as any person entitled to membership in ULWM.
- e. Multi-unit residential facility means a building or portion thereof that contains more than one dwelling unit.
- f. Private residence is defined as that portion of any Cooperative which is not in common with other owners.
- g. Smoking is defined as inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, e-cigarette, pipe, cannabis, or other combustible substance in any manner or in any form.

### **III. Conditions**

Smoking is prohibited in the following areas:

- a. Enclosed areas of all public places, including lobbies, elevators, hallways and other areas used by members of the public.
- b. Elevators, hallways, recreation rooms, laundry rooms, stairs, and other common areas in multi-unit residential facilities.
- c. Unenclosed hallways, entryways, breezeways, stairways and other common areas accessible and useable by more than one residence.
- d. Balconies and patios in residential facilities. For the purpose of this policy, balconies and patios shall include unenclosed and screened patios and balconies as well as enclosed patios and balconies unless windows and doors are closed to prevent the escape of smoke.
- e. Carports and parking areas.
- f. In an enclosed vehicle.

- g. Any common area within 20 feet from any building so long as smoke does not enter any enclosed area in which smoking is prohibited.
- h. Private residence with open windows and/or doors.
- i. Smoking marijuana is only permitted inside a residence.

#### **IV. Enforcement**

ULWM is authorized to take disciplinary action against a Member found to be in violation of the Non-Smoking Policy. When a violation occurs the Board is obligated to evaluate and impose if appropriate, member-discipline as set forth in the governing documents. The Board of Directors has the authority to impose monetary fines, suspend Member privileges, and/or bring forth legal action.

The Member is entirely responsible for ensuring that the rules, regulations, and policies are following by anyone they allow into the community. This includes any Co-occupant, lessee, or guest, care provider, vendor, invitee, or contractor.

Per Resolution 01-08-21, adopted February 12, 2008, the following guidelines define the responsibility for remediation costs associated with second-hand smoke infiltration:

- a. Remediation costs considered reasonable would be paid for by the Member responsible for the second-hand smoke.
- b. Remediation costs due to defects or damages to property which is ULWM responsibility would be paid for by ULWM.
- c. Remediation costs beyond those which would be construed as reasonable would be borne by complainant.

A complaint may be registered with the Compliance Department by calling 949-268-CALL or by calling the Security Department at 949-580-1400

**Care Provider Policy**  
Adopted ~~Month~~February, ~~Day~~14, 2017  
Resolution 01-17-~~28XX~~

**V. Purpose**

The purpose of this document is to define the policies of United Laguna Woods Mutual (ULWM) regarding individuals who provide care to residents.

**VI. Definitions**

For the purposes of this policy:

- a. Care Provider, also known as Caregiver and Home Care Aide, is a person who has been approved by ULWM in writing on the basis of being a provider of primary support to the Resident. Care Provider services include, but are not limited to, assistance with the following:
  - Bathing
  - dressing
  - feeding
  - exercising
  - positioning
  - transferring
  - ambulating
  - personal hygiene and grooming
  - toileting and incontinence care
  - housekeeping
  - assisting with medication
  - meal planning and preparation
  - laundry
  - transportation
  - correspondence
  - making telephone calls
  - shopping for personal care items or groceries
  - companionship
- b. Resident is defined as any person who has been approved by the Board of Directors for occupancy.
- c. Community Facilities are defined as the facilities and services operated by the Golden Rain Foundation (GRF).
- d. Community Rules are defined as the Bylaws, Occupancy Agreement, Articles of Incorporation, or any rules and regulations of ULWM and of GRF.

**VII. Conditions**

- a. All Care Provider(s) must be Board approved in writing **prior** to commencing support.
- b. A licensed medical physician must certify that the Resident has a need for care.
- c. The Care Provider must be 18 years old or older.
- d. The Care Provider must provide part-time, live-in, long-term or terminal health care for daily activities, medical treatment, or both to the Resident.
- e. The Care Provider must be registered with the California Department of Social Services Home Care Registry.



- f. The Care Provider must provide a copy of a government issued photo ID with the application.
- g. The Care Provider must provide a copy of their driver's license, vehicle registration, and proof of vehicle insurance with the application if he/she will be operating a vehicle within Laguna Woods Village.
- h. The Care Provider permit is approved for a period of up to one year. Residents are required to re-apply and obtain a new certification statement from a licensed medical physician annually.
- i. The total number of persons residing in a unit shall not exceed the number of bedrooms, plus one (i.e. no more than two persons in a one-bedroom unit; no more than three persons in a two-bedroom unit). Fees for a third individual in the unit may be assessed.
- j. Each Care Provider shall not have been convicted of a felony or a misdemeanor involving moral turpitude (e.g., fraud, perjury, criminal threats).
- k. The Resident and/or Mutual Member is responsible for the conduct of the Care Provider, and shall ensure that he/she complies with all community rules, regulations, and policies.
- l. Upon approval by the Board of Directors, a one year renewable pass shall be issued to the Care Provider that will permit gate access into the community, if needed.
- m. The Care Provider must wear, in clear sight, the Laguna Woods Village ID at all times. If a gate pass is supplied, it must be displayed on their car dashboard at all times.
- n. The Care Provider ID and gate pass may not be transferred or lent to anyone.
- o. The Care Provider is authorized to use the Community Facilities **only** as necessarily incidental to provide support to the Resident.
- p. Part-time Care Providers may only use the laundry facilities for the Resident's use. Full-time Care Providers may use the laundry facilities for their personal use and the Residents use.
- q. The live-in Care Provider requires written permission from the Board of Directors to remain in the unit without the Resident only if both of the following are applicable:
  - i. The Resident is absent from the unit due to hospitalization or other necessary medical treatment and expects to return to the unit within 90 days from the date the absence began; and
  - ii. The Resident submits a written request desiring the Care Provider be allowed to remain in order to be present when the Resident returns to reside in the unit. [Civil Code §51.11.b.7]
- r. Care Providers may not bring family members, pets or guests into the Community.
- s. The Resident must surrender the Care Provider ID and vehicle pass to the Resident Services Department at the conclusion of the care service.
- t. The Care Provider shall meet all applicable GRF requirements relating to operating a motor vehicle within the community.

## VIII. Procedures

- a. The Resident must complete and submit "Application for Care Provider Permit" for Board review.
- b. The Resident must complete and submit "Physician's Certification of Need for Care Provider"
- c. Application and Physician certification can be submitted to the Resident Services Department located in the Laguna Woods Village Community Center.
- d. The Board will review the application and approve or deny request.
- e. The Resident Services Department will notify the Resident of the results within 5 – 7 business days. Special circumstances may be granted.
- f. Upon request for renewal, the Community Services Department will check if the Resident has received notices of rules violations.



## Application for Care Provider Permit

- LWM  
 LHM  
 Mutual 50

Return completed application to: Resident Services Department, 24351 El Toro Road, Laguna Woods, CA 92637; Phone: 949-597-4600, E-mail: residentservices@vmsinc.org

Resident Information			
Name:		<input type="checkbox"/> Member <input type="checkbox"/> Occupant	
Address:			
Telephone:		Cell Phone:	
E-mail:			
What is the expected duration of the Care Provider?			
<input type="checkbox"/> Temporary		<input type="checkbox"/> Permanent	<input type="checkbox"/> Terminal Health Care
What is the expected schedule of the Care Provider?			
<input type="checkbox"/> Part-Time/Day Only		<input type="checkbox"/> Part-Time/Night Only	<input type="checkbox"/> Full-Time/24 hours/day
When is the Care Provider service expected to end?			
What is the service the Care Provider is expected to provide? (check all that apply)			
<input type="checkbox"/> bathing		<input type="checkbox"/> housekeeping	
<input type="checkbox"/> dressing		<input type="checkbox"/> assisting with medication	
<input type="checkbox"/> feeding		<input type="checkbox"/> meal planning and preparation	
<input type="checkbox"/> exercising		<input type="checkbox"/> laundry	
<input type="checkbox"/> positioning		<input type="checkbox"/> transportation	
<input type="checkbox"/> transferring		<input type="checkbox"/> correspondence	
<input type="checkbox"/> ambulating		<input type="checkbox"/> making telephone calls	
<input type="checkbox"/> personal hygiene and grooming		<input type="checkbox"/> shopping for personal care items or groceries	
<input type="checkbox"/> toileting and incontinence care		<input type="checkbox"/> companionship	
<input type="checkbox"/> Other: _____			
Care Provider Information			
Name:			
Address:			
Telephone:		Cell Phone:	
Relationship to Resident:			
<input type="checkbox"/> Employee; Name of Agency (if any) _____			
<input type="checkbox"/> Family Member; Relationship _____			
Driver License No:		Expiration Date:	
Vehicle Color:	Make:	Model:	License:
Insurance Company:		Expiration Date:	
What is the Care Provider's state registration ID number?			

Has the Care Provider been convicted of a felony?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Has the Care Provider been convicted of a misdemeanor involving moral turpitude?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**Care Provider Permit Agreement**

The undersigned acknowledges that the issuance of a Care Provider Permit does not constitute approval of the Care Provider nor does it represent any direct or indirect liability on behalf of United Laguna Woods Mutual, a California non-profit mutual benefit corporation, and the Golden Rain Foundation of Laguna Woods, a California non-profit mutual benefit corporation, and Village Management Services, Inc. a California corporation, and each of their respective directors, officers, employees, and agents. Further, I/we have read and received a copy of the Care Provider Policy and agree to wear the ID and display the pass at all times while in this Community. I/we also understand that falsification of any information related to this application is subject to disciplinary action.

Resident Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Members Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Care Provider Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use Only**

Received By:	WO#:
Reviewed By:	<input type="checkbox"/> WO Updated
Requirements:	<input type="checkbox"/> ID <input type="checkbox"/> Gate Pass <input type="checkbox"/> Other _____
Will approval cause the unit to exceed the no. of occupants permitted?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is state registration active for the Care Provider?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was Physician's Certification verified?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the resident received notices of rules violation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does staff recommend approval of this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If No, state reason:	

**For Board of Directors Use Only**

Application <b>DENIED</b>	Application <b>APPROVED</b>
The Board of Directors of this Mutual Corporation has reviewed this application. Based on the information provided, the application is <b>denied</b> .	The Board of Directors of this Mutual Corporation has reviewed this application. Based on the information provided, the application is <b>approved</b> .
SIGNATURE	SIGNATURE
SIGNATURE	SIGNATURE
SIGNATURE	SIGNATURE

For Office Use Only	
Resident Notified By:	
<input type="checkbox"/> WO Updated/Closed	<input type="checkbox"/> Documents Scanned



Physician's Certification of Need  
 for a Care Provider Permit

- LWM
- LHM
- Mutual 50

Return completed certification to: Resident Services Department, 24351 El Toro Road, Laguna Woods, CA 92637; Phone: 949-597-4600, E-mail: residentservices@vmsinc.org

**Resident/Patients Information (To be Completed by Resident)**

Name:	
Address:	
Telephone:	Cell Phone:
E-mail:	

**Authorization to Release Information (To be Completed by the Resident)**

I authorize the physician named below to release information about me to a representative of Laguna Woods Village only for the purpose of confirming my request for a Care Provider Permit. I understand that my authorization will remain effective for one year from the date of my signature, and that the information will be handled confidentially in compliance with all applicable laws. I understand that I may revoke the authorization at any time by written, dated communication.

Residents Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Physician's Information (To be Completed by Physician)**

Name:	Office Stamp:
Address:	
Telephone:	
License#:	

The person named above is a resident of an active senior Community. The Community is age-restricted. The information you provide is used for approval of an application for a Care Provider. Please refer to the back of this certification for definitions and further information.

Are you the applicant's treating physician?  Yes  No

If yes, length of time you've been treating the patient: \_\_\_\_\_

Does the applicant have a mental or physical disability?  Yes  No

Does the applicant need the services of a care provider:  Yes  No

If yes, please answer the following:

What is the recommended expected duration of the Care Provider?

- Temporary  Permanent  Terminal Health Care

What is the recommended schedule of the Care Provider?

- Part-Time/Day Only  Part-Time/Night Only  Full-Time/24 hours/day

When is care expected to end?

I certify that the information provided herein is true and accurate to the best of my knowledge.

Physician's Signature (required): \_\_\_\_\_ Date: \_\_\_\_\_

The person named is a resident of an age-restricted community. The information that you provide is used for approval of a permit for a care provider. Please refer to these definitions from **CAL. GOV. CODE Sections 12926 and 12926.1**:

**Medical Condition** means either of the following:

1. Any health impairment related to or associated with a diagnosis of **cancer**, or a record or history of cancer.
2. Genetic characteristics, including (a) Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, that is **known to be a cause** of a disease or disorder in a person or his or her offspring, or that is determined to be associated with a statistically increased risk of development of a disease or disorder, and that is presently not associated with any symptoms of any disease or disorder. (b) **Inherited characteristics** that may derive from the individual or family member, that are known to be a cause of a disease or disorder in a person or his or her offspring, or that are determined to be associated with a **statistically increased risk** of development of a disease or disorder, and that are presently not associated with any symptoms of any disease or disorder.

**Mental Disability** includes, but is not limited to, all of the following:

1. Having any mental or **psychological disorder or condition**, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disability, **that limits a major life activity**. For purposes of this section: (a) **Limits**" shall be determined **without regard to mitigating measures**, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity. (b) **A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.** (c) **Major life activities"** shall be broadly construed and shall include physical, mental, and social activities and working.

**Mental Disability** also includes:

1. Any other mental or psychological disorder or condition not described in paragraph (1) that **requires special education or related services**.
2. Having a record or **history** of a mental or psychological disorder or condition.
3. Being regarded or treated as having, or having had, any mental condition that **makes achievement of a major life activity difficult**.
4. Being regarded or treated as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that **may become a mental disability** as described in paragraph (1) or (2).

**Physical Disability** includes, but is not limited to, all of the following:

1. Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following: (a) **Affects** one or more of the following **body systems**: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine. (b) **Limits a major life activity**.
2. Being regarded or treated as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but **may become a physical disability** as described in paragraph (1).

Mental Disability and Physical Disability does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

If the definition of "disability" used in the Americans with Disabilities Act, or in Cal. Gov. Code Section 12926.1 would result in broader protection of the civil rights of individuals with a mental disability or physical disability, or would include any medical condition not included within those definitions, then that broader protection or coverage shall prevail.