

**Policy # 30: Non-liability and Release of the Association Directors**

- As provided in the governing documents applicable to The Park at Quail Creek Homeowners Association (HOA), the HOA and its officers and directors shall not be liable to townhome owners, their tenants, and persons on the property at their invitation or with their permission, for property damage, personal injuries, or harm resulting at anytime from conduct of the HOA's officers, directors, employees and agents relating to enforcement or non-enforcement of the HOA's Declarations or Policies. This includes but is not limited to any Declarations Provisions and Policies regarding pet leash requirements, traffic intersection sightlines, swimming pool policies, traffic signs, vehicle parking, common area lighting or fencing, common area security, hazardous materials and/or the storage of it, electrical lines, gas line or sanitary sewer system failures, etc.
- Under the Declaration, by acceptance of a Deed or lease, owners and tenants, as well as persons on the property, at their invitation or with their permission, are deemed to have released the HOA and its officers and directors from such liability, to the extent authorized by law.
- The foregoing does not release an officer or director from liability for acts or omissions which are:
  - A breach of the officer's or director's duty of loyalty and fiduciary duty to the HOA or its members;
  - Acts or omissions not in good faith or involving intentional misconduct or a knowing violation of law;
  - A transaction from which an officer or director receives an improper benefit, whether or not the benefit resulted from an action taken within the scope of the director's office, or;
  - An act or omission for which the liability of the directory is expressly provided by statute.