

**Amendment Adopted May 2003**

**LOSER PAYS PROVISION:** If any Owner initiates a controversy or brings any claim against the Association, its directors, officers or agents, or any of them, and fails to prevail substantially on any portion of a controversy initiated or any claim brought, the Owner shall pay all fees and expenses, including attorney fees incurred by the Association, its directors, officers or agents, or any of them, arising out of the controversy or claim on which the Owner has not prevailed substantially.

**ARBITRATION PROVISION:** Any controversy initiated or claim brought by any Owner against the Association, its directors, officers or agents, or any of them, or by the Association against any Owner, shall be prosecuted and settled by arbitration administered by the American Arbitration Association under its Rules for the Real Estate Industry and judgment upon any award rendered by the arbitrator(s) shall be entered in any court having jurisdiction thereof.