

## **FINE POLICY**

The following procedure will apply to all violations and infractions of the governing documents and rules and regulations. Owners may report a violation to the Management Company or Board of Directors by submitting a written notice describing the violation. The Board of Directors, Management Company, or committee appointed by the Board may also note any violation discovered during a walk-through or by personal knowledge of any of its members or representatives. Nothing in this policy shall prevent the Association from pursuing other remedies or from seeking immediate relief in court if the Board determines that such action is warranted.

At the time a violation is noted or reported, action will begin as follows:

1. A notice to correct the violation will be sent by the management company. The notice will contain a description of the violation and instructions regarding response to the notice and correction of the violation. It will also include the range of the fine that may be imposed if the issue is not corrected.
2. If the violation continues, or if the response is not otherwise satisfactory, the Owner will receive a notice of a monetary penalty and be afforded an opportunity to appear before the Board or an appointed committee either by appearing personally or submitting written testimony. The effective date of the monetary penalty will be at least five (5) days after the hearing date. The notice shall be delivered to the Owner personally or by first class or certified mail to the last address of the Owner shown on the Association's records. The Board or Committee shall give fair consideration to the Owner's oral or written testimony in determining whether to impose a penalty. "Penalty" shall include fines, repair costs or any out-of-pocket costs or expenses incurred by the Association due to an Owner's violation, including attorney's fees.
3. If the violation continues, or if the response is otherwise unsatisfactory, even after the imposition of a monetary penalty, the Board or its appointed committee may impose additional or continuing fines until such time as the matter is satisfactorily resolved upon notice and an opportunity for a hearing is offered in the manner specified in paragraph 2 above.
4. If the violation continues, the Board may refer the matter to the Association's legal counsel. If a lawsuit is filed, the homeowner may be liable for the Association's legal costs and fees.
5. If the violation of the rules is a one-time activity that the Owner or Resident knowingly committed, and did not cease when requested, the Board may impose the appropriate monetary penalty.

## **FINE SCHEDULE**

Fines shall be levied at the discretion of the Board for any violation of the Bylaws, CC&Rs or Rules and Regulation not specifically mentioned on the following schedule:

1. First violation: \$50.00 to \$199.00
2. Second violation: \$200.00 to \$299.00
3. Third violation: \$300.00 or more

Fines shall be levied for each documented violation separately.

Fines shall be in addition to any applicable cost of repair or other reimbursement of any costs incurred by the Association, including attorney's fees.

Four (4) or more violations assessed to a single Living Unit in any six (6) month period may result in an additional fine of up to \$500.00 at the discretion of the Board.