

ENFORCEMENT PROCEDURES FOR RULES VIOLATIONS

5/9/2016

I. AWARENESS OF VIOLATION

The most likely method the Board becomes aware of a violation is to have it observed by a Board or ACC member. The other is from residents. Since only verifiable violations will be addressed by the Board, the complainant must have at least one corroborating witness to the violation. This witness must be another resident and spouses do not qualify as a verifier.

II. ACTIONS BY BOARD

The Board will review all verifiable complaints of violations, and take the following sequence of actions if deemed necessary. The Board reserves the right to use its' discretion on any reported violation, since it may know of mitigating circumstances about which the complainant(s) are unaware.

a) The first infraction results in a phone call, email, or personal visit to the offender from a board member recommending remedies and a reasonable length of time for accomplishment of same;

b) the second infraction of the same violation, whether (i) caused by another infraction or (ii) failure to correct the violation in the length of time referred to in Section IIa; results in a certified letter to the offender;

c) the third infraction of the same violation, whether (i) caused by another infraction or (ii) failure to correct the violation in the length of time referred to in Section IIa, results in a \$50.00 fine to the offender;

d) the fourth infraction of the same violation, whether (i) caused by another infraction or (ii) failure to correct the violation in the length of time referred to in Section IIa plus 15 days; results in a \$200.00 fine to the offender;

e) fifth and subsequent infractions of the same violation, whether (i) caused by another violation or (ii) failure to correct the violation in the time frame referred to in Section IIa, plus 30 days; each result in a \$500.00 fine to the offender.

III. ENFORCEMENT AND COLLECTION PROCEDURES

All fines are due and payable upon notice to the offender. If fines are not paid to the Association within 60 days of notice, legal steps will be taken to secure enforcement from the respective Counties' Justice of Peace courts, and may result in liens against the offender's property. Costs to the Association for pursuing such legal action including all attorney fees will be the responsibility of the offender.

IV EFFECTIVE DATE OF RULES

The effective date of these rules is 5/9/2016 and will continue until modified or terminated by this or subsequent boards.