POLICY NO. 4: ENFORCEMENT OF COVENANTS, NOTICE AND HEARING PROCEDURES, SCHEDULE OF FINES

1. Review of Suspected Violations and Persons Entitled to Participate. The Board of Directors will review all suspected violations of the governing documents coming to its attention. The following shall not be entitled to participate in the proceedings as a director: (a) the Owner suspected of the violation; and (b) any other Owner having a direct personal or financial interest in the outcome. An Owner shall not be deemed to have a direct personal or financial interest in the outcome if the Owner will not, as a result of the outcome, receive any greater benefit or detriment than will the general membership of the Association. Owners that are not entitled to participate in the proceedings may nonetheless be counted in determining the presence of a quorum at a meeting of the Board of Directors to consider the suspected violation, but any such Owner will then recuse himself or herself and the remaining directors may take action even if they are less than a quorum.

2. Notification of Owners. Before taking any action against an Owner for violation of the governing documents, a written complaint will be provided to the Owner. The Board of Directors shall give the Owner an opportunity for a hearing at a regular or special meeting of the Board of Directors and shall give the Owner reasonable opportunity to remedy the violation. This provision shall not apply to collection of unpaid Assessments, which shall be governed by the separate Collection Policy.

3. Fair and Impartial Factfinding Process. At any hearing to consider a suspected violation, the Board of Directors will employ a fair and impartial factfinding process concerning whether the alleged violation actually occurred and whether the subject Owner is the one who should be held responsible for the violation.

4. Fines. If an Owner does not cure the violation after notice and opportunity for a hearing, the Board of Directors may levy a fine of up to $150 per month if the violation continues, and any such fine shall constitute an Assessment.

5. Collection Provisions. All costs and attorney fees incurred by the Association to enforce its governing documents shall be an Assessment subject to all lien and collection powers of the Association, except, if it is determined that the Owner suspected of a violation should not be held responsible for the alleged violation, the Association shall not allocate to the Owner's account any of the Association's costs or attorney fees incurred in asserting or hearing the claim.

CERTIFICATION:

The foregoing policy was adopted effective July 29, 2023._
Secretary of the Association
Brad Lingle