

HEATHER PLACE HOMES ASSOCIATION, INC.
MONETARY PENALTIES FOR RULES VIOLATIONS

Adopted: January 1, 2004
Published: December 1, 2003
Amended: October 16, 2003

Monetary penalties for violations of the CC&R's, Bylaws and rules of the Association shall be imposed uniformly according to the procedures set forth as follows:

Written notice will be sent to the homeowner at the mailing address as it appears on the records of the Association at the time of notice. The **FIRST NOTICE** shall be a violation letter with no fine imposed and shall give the owner adequate time to comply. The notice shall include:

- (1) The nature and date of the violation.
- (2) A date for correction of the violation.
- (3) The fact that a monetary penalty may be imposed for repeat violations of the same rule as determined by the Board or Architectural Committee.

If the violation is not corrected within the given date or if the same violation reoccurs within a six (6) month period of the previously written notice, a **SECOND NOTICE** will be sent. The second notice shall include:

- (1) The nature and date of the violation.
- (2) The fact that a monetary penalty has been imposed.
- (3) The manner in which the owner will be provided with an opportunity to be heard with respect to the violation.

The owner will be provided an opportunity to discuss the violation and the fine to be imposed in one of two ways:

- (1) Within fourteen (14) calendar days following the date of the second notice, the owner may appeal the fine in writing to the Board, and/or:
- (2) Within fourteen (14) calendar days following the date of the second notice, the owner may appeal the fine in person at a Board meeting if one is scheduled during that period.

Whether or not the owner appeals, the Board can assess the problem and determine whether to levy the fine upon the expiration of that fourteen (14) calendar day appeal period. The owner will be notified of the Board's decision and date of required compliance. If the lot is not in compliance by the last given date, the case may be referred to an attorney for corrective action through legal means. In accordance with the CC&R's, legal costs incurred will be borne by the owner.

Heather Place Homes Association Fining Summary:

A fine of \$25.00 will be assessed for a second violation of the same article of CC&R's, Bylaws and rules of the Association, reoccurring within a 90-day period.

Third and subsequent violations of the same rule reoccurring within a 90-day period, will be assessed a \$50.00 fine for each violation.

If at any time the Board determines that the homeowner has no intention of complying with the rules, then the Board may exercise the option to pursue corrective action through legal means.