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6/27/14

**PINE CREST HOMEOWNERS ASSOCIATION
COVENANTS AND RESTRICTIONS ENFORCEMENT POLICY**

Developed by the Executive Board pursuant to Article 24.3 of the *Declaration for Pine Crest* (signed 11/24/2010). Adopted by the Pine Crest Homeowners Association on June 17, 2014.

VIOLATIONS: In the event that an owner is not in compliance with Article 12 (to include Exhibits E, F, and G) of the *Declaration for Pine Crest*, the following actions will be taken at the discretion of the Executive Board.

- **LONG TERM VIOLATIONS:** A notice will be mailed to the owner stating the violation and notice of possible future fines. The owner will have 45 days to correct the violation. The owner must inform the Executive Board or Association Manager firm when the correction is complete, which will then be confirmed by a Board member or the Association Manager. Failure to correct the problem within 45 days will result in a second notice and a fine up to \$100. An additional fine of \$100 will be assessed every month thereafter for 3 months or until the infraction is corrected. After this period, the violation will be turned over to legal counsel for further enforcement. Fines may also become enforceable liens on the property.
- **SHORT TERM VIOLATIONS:** Examples may include litter, trash stored in sight (except trash collection days), campers/trailers/boats parked in driveways for more than 48 hours, or using aluminum foil as a window covering.
 - Homeowners will receive one written notice for such violations before fines commence. The owner will be sent a letter stating the violation with a request that the issue be resolved within five days. If not corrected, the owner will receive a second notification and be assessed a daily fine up to \$25 for a period of 30 days. After this period, the violation will be turned over to legal counsel for further enforcement. Fines may also become enforceable liens on the property.
 - The Executive Board may grant exceptions. For example, if a homeowner is moving and places a trailer in their driveway for a full week, the Executive Board may waive fines. It is the homeowner's responsibility to give prior notice to the Executive Board of such circumstances.

This fine structure is based upon separate violations. For example, landscaping (long term violation) and parking a trailer in your driveway (short term violation) are separate violations. Violations of the same type may be considered cumulative over a 12-month period. For example, if a trailer infraction notice is sent in June and again in September, the notification in September shall be considered as the second notification and fines may commence immediately.

The first written notice will be sent via regular mail; additional written notices will be sent via certified mail. Fines will accrue based upon the mailing date of the fine notification. Notice of fines will be sent to the owner's address listed in association records. Hand delivery to the unit shall be an acceptable alternate form of notice.

Any additional costs to the management company (to include mailing certified letters) or any legal fees will be the responsibility of the homeowner in violation of the covenants and restrictions.

PROCESS FOR REPORTING VIOLATIONS: Any homeowner may report a perceived violation to the Association Manager or to a member of the Executive Board.

RIGHT TO NOTICE AND HEARING: Unit owners are entitled to dispute a violation in accordance with the *Declaration for Pine Crest*. Fines will become final unless the homeowner files a written notice of appeal with the Association Manager within thirty days after the fine is levied. Fines will be levied to ensure compliance with association rules and regulations, not as a way to raise revenue.