

POLICY RESOLUTION REGARDING FINE SCHEDULE

Association: **The Cottages at Turtle Creek**

WHEREAS, the Bylaws of the association states the Board shall have the power to manage the business and affairs for the Association.

WHEREAS, the Bylaws states the Board shall exercise for the Association all powers, duties and authority vested in or delegated to this Association, and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration, including the powers set forth in the Act.

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions, Declaration of Restrictions, Statement of Purpose lists several restrictions set forth for the protection of the Lots and the future Owners thereof.

WHEREAS, the Bylaws and Declaration of Covenants, states the Association, by the Board of Directors, may impose fines and penalties for any violation of the Declaration or this Article pursuant to the Act.

WHEREAS, there is a need for the Board of Directors to give direction regarding the process associated with legal action of violation of these Declarations of Restrictions.

WHEREAS, it is the intent that this policy be applicable to the levying Of fines on said properties within the association that have not cured their violations. This resolution will be in effect from the date listed above until it is rescinded, modified or amended by a majority of the Board of Directors.

NOW THEREFORE, BE IT RESOLVED THAT the following policy shall be adopted by the Board of Directors regarding the levying fines for violations.

1. When an owner is in violation of a Use Restriction, they will be mailed a *Friendly Reminder* letter making them aware of the violation and asking them to cure the violation.
2. If upon a second inspection the violation(s) is not cured the owner will be mailed an official violation notice giving them 10 days to cure the violation.
3. If upon a third inspection the violation(s) is not cured the owner will be mailed a Notice and opportunity for a hearing, giving them 10 days to request a hearing or one will be held in absentia. Should the owner request a hearing, the owner will have a chance at the hearing to defend his/her violation.
4. If the owner requests and attends a hearing, the owner will then leave, and the Board will discuss and decide on the violation.
5. If the owner did not request or attend a hearing, or after the Board's decision regarding the hearing, if upon a fourth inspection the violation(s) is not cured the owner will be mailed an *Imposition of Fines* notice giving them 5 days to cure the violation before fines will start.
6. Once the owner cures the violation, fines will stop.
7. Should the same violation occur again within a one-year period from when the violation was cured, fines will automatically begin again.