

**TAYLOR'S RIDGE HOMEOWNERS' ASSOCIATION**  
**ENFORCEMENT POLICY WITH FINE SCHEDULE**

(Effective 4/13, 2013)

All Lots, Lot Owners and residents within the Taylor's Ridge Homeowners' Association (the "Association") are subject to the Declaration of Covenants, Conditions & Restrictions of Taylor's Ridge, Division I & II as amended to include Divisions III through V ("Declaration"), the Articles of Incorporation, the Bylaws and the Rules and Regulations of the Association (together, the "Governing Documents"). Each Owner, and their guests and tenants, is required to comply strictly with the Governing Documents as they may be amended from time to time by the Association. Failure to comply may result in the issuance of fines, actions to recover sums due for damages or injunctive relief, or both, maintainable by the Board of Directors (the "Board") for the Association or by an aggrieved owner on their own against the party failing to comply. Owners are responsible for ensuring their tenants and guests comply with the Governing Documents.

- A. **Fine Schedule.** If the Board receives information suggesting that there has been a violation of the Governing Documents, the Association, through its agents, after reasonable inquiry, may take the following actions and levy the following fines:
1. **Warning Letter.** A first violation of the Association's Governing Documents will result in a written notice of violation stating that continuing or future violations will subject the Owner to fines as set forth below. Some situations may require immediate action on the part of the Owner, but unless otherwise stated in the Warning Letter, Owners will have thirty (30) days from the date of the letter is sent to correct the violation.
  2. **Notice of Violation.** A subsequent or continuing violation of the Association's Governing Documents will result in a written Notice of Violation stating that a \$50.00 fine will be imposed, with payment due in 30 days. The Notice of Violation shall contain notice that the Owner is entitled to request a hearing in accordance with the procedures set forth in Section B Below.
  3. **Uncorrected Violations.** Any condition constituting a violation of the Governing Documents that is not corrected or remedied within the time expressed in the Notice of Violation shall be subject to a fine of \$50.00 per month until the condition constituting the violation is corrected. If the condition is not corrected within 60 days, the Owners' voting rights shall be suspended. If the condition is not corrected within three months, the monthly fine shall increase to \$100.00. The fine for ongoing uncorrected violations shall increase by \$50.00 per month every three months until the condition has been remedied, resulting in a fine of \$150.00 per month for violations exceeding six months, \$200 per month exceeding nine months, and so on up to a maximum of \$500 per month. The adoption and mailing of this policy to all Owners and delivery of the Notice of Violation constitutes notice of these ongoing fines for failure to correct violations of the Governing Documents.
  4. **Separate Violations.** Owners are entitled to a Warning and Notice of Violation for violations of different provisions of the Governing Documents or violations that are not considered ongoing or continuing in nature.

5. **Correspondence.** All Warning Letters, Notices of Violation or other correspondence relating to violations of the Governing Documents will be sent to the Owner at the Lot address or alternate address previously given by the Owner to the Secretary of the Association and may be sent by the Board, Association manager or attorney in accordance with the Governing Documents.
  6. **Owner Responsible for Actions of Occupants.** Owners are responsible for their guests, tenants, agents, contractors and invitees. If a non-Owner occupant of a Lot is in violation of the Governing Documents, the Warning Letter or other notice will be sent to the Owner at the Lot address unless an alternative address has previously been given to the secretary of the Association. The Lot Owner is responsible for notifying his or her tenants or occupants, for paying any fines and for taking corrective action.
- B. **Opportunity for Hearing.** An Owner who has received a Notice of Violation may request a hearing on the violation by sending a written request to the Board. The written request must be received by the Board within 20 days of the date appearing on the Notice of Violation. Failure to request a hearing in a timely manner is a waiver of the Owner's right to challenge the violation and imposition of all fines. The hearing will be scheduled and held in the following manner.
1. **Notice of Hearing.** When the Board has received a timely request for hearing, it will provide the affected Owner with written notice of a hearing before a board appointed committee (hereinafter "Hearing Committee") regarding the proposed action or fine. Unless the Board and the affected Owner otherwise mutually agree upon a date and time for the hearing, the hearing shall be set between 10 and 30 days of the receipt of the timely request for hearing and shall be set between the hours of 6:00 p.m. – 9:00 p.m. The Notice of Hearing shall include: (a) a statement of offense, (b) the proposed action and/or fine, (c) the date, time and place of the hearing, (d) any time limits upon the presentation of evidence. Failure of the Owner to respond to correspondence regarding the setting of the hearing or failure to attend shall constitute waiver of the Owner's right to a hearing and to challenge the imposition of fines as set forth in this policy.
  2. **Attorneys.** If the Owner intends to have an attorney present at the hearing, the Owner must notify the Board 7 days prior to the hearing so that the Association may also have counsel present.
  3. **Hearing Procedures.** At the hearing, the affected Owner shall have a reasonable amount of time under the circumstances to present evidence and argument to the Board regarding why the alleged condition does not constitute a violation of the Governing Documents or why a fine should not be levied. Specific time limits may be set out in the Notice of Hearing. Additional time may be granted by mutual agreement of the Board and Owner. Presentation of evidence or argument shall be subject to reasonable rules of procedure established by the Hearing Committee to assure a prompt and orderly resolution of the issue at hand. Other Owners may be allowed to present evidence or argument relating to the alleged violation in accordance with procedures established by the Hearing Committee, or at the discretion of the Hearing Committee.
  4. **Decision of the Hearing Committee.** The Hearing Committee will meet in closed session within a reasonable time following the hearing to make its determination of whether the violation has been committed and whether changes in the fines imposed should be made, and shall endeavor to send the Owner a Notice of Decision in writing in the same manner in which the notice of the meeting was given within 14 days of the

hearing. Any fines imposed after a hearing shall become due on the first of the month following the notice of the Hearing Committee's decision unless the notice of decision states otherwise.

5. **Multiple Violations prior to Hearing.** One or more violations of the Governing Documents and/or proposed fines may be combined and heard in one enforcement hearing, if convenient to the Hearing Committee. Once a hearing is set for one or more alleged violations, additional alleged violations and fines occurring subsequent to the initial Notice(s) of Violations and prior to the date of the hearing may also be heard at the scheduled hearing, at the discretion of the Hearing Committee, provided the Owner is sent notice of the subsequent alleged violations and proposed fines prior to the date of the hearing.
  6. **Continuing Fines after Hearing.** An Owner is entitled to one hearing per continuing violation. A request for an additional hearing may be denied if the Hearing Committee determines that the violations are continuing in nature and that no evidence that could be presented by the Owner would change the previous decision of the Hearings Board on the same or similar type of violation. Notice that a request for hearing has been denied may be sent in the manner of a Notice of Hearing.
- C. **No Waiver / Not Exclusive Remedy.** The forgoing shall not be deemed a waiver of any right to enforce the Governing Documents. At the reasonable discretion of the Board, the Association may take immediate enforcement action as allowed by the Governing Documents or by law. The sanctions, fines, interest and costs set out herein are in addition to, and not in lieu of, other remedies or sanctions available to the Association by law or by the Governing Documents and are to be interpreted consistent with the Declaration, Bylaws and other non-conflicting rules or regulations.
- D. **Fines are Assessments.** Owners shall be financially responsible for all fines, damages and other amounts assessed resulting from their own actions, and the actions of their tenants, guests or occupants and these shall be enforced as Assessments.
- E. **Cost Incurred in Collection are Assessments.** In addition to the sanctions set forth above, all costs incurred, including but not limited to attorneys' fees, interest, recording fees and other costs incurred in collecting these fines shall be assessed to the owner who causes the Association to incur such costs.

This Enforcement Policy with Fines and Fee Schedule was adopted by the Board of Directors by resolution dated 4/18/2013, and mailed to all Lot Owners on 4/29, 2013.

  
\_\_\_\_\_  
Association Secretary