

# **Western Oaks Policy on Warnings and Fines for Deed Restriction Violation Effective November 1, 2006**

- I. Any violation of the deed restrictions may result in a friendly reminder, warning and a fine, or series of fines if the violation continues.
- II. Owners will have 14 days from the postmark of the warning notice to correct a violation, substantially comply or establish an *agreed* plan with management, before a fine is incurred.
- III. Fines will be assessed initially at \$50.00 for each violation.
- IV. Fines will continue to be assessed every 14 days in incremental amounts of \$50.00 until corrective action has been taken to the satisfaction of the board and management. (i.e. 1<sup>st</sup> fine-\$50.00, 2<sup>nd</sup> fine-\$100.00, 3<sup>rd</sup> fine-\$150.00) These fines are cumulative in nature.
- V. Three warnings for the same violation in a six-month period will constitute a fine of \$50.00.
- VI. Owners will be sued in small claims court for unpaid fines after 90 days; if said fines have gone unpaid or a satisfactory arrangement for compliance and/or payment has not been reached with the board and management.
- VII. Warnings and fines can be triggered by one of the following:
  - A. Reported to management by an owner and confirmed by a member of the board.
  - B. Observed independently by the management company and confirmed by a member of the board.
  - C. Reported by a member of the board and confirmed by another member of the board.
  - D. Management will be solely responsible for issuing warning, fines and collecting fines. Fines revenue belongs to the association.
- VIII. The Board of Directors will interpret the covenants and is responsible for determining the meaning of words and definitions as they apply to the community and to the enforcement of the restrictions.
- IX. All friendly reminders, warnings and fines may be appealed by filing a written request to the board to be heard at a regular or special meeting within 30 days of the notice.