

THE VIEW SUBDIVISION PROPERTY OWNER'S ASSOCIATION, INC.

Violations and Fines Policy
23 May 2019

The Covenants, Conditions, and Restrictions (CC&Rs) and Bylaws are in place to regulate the use, appearance and maintenance of The View. In order for the Architectural Review Board (ARC) and Board of Directors (BODs) to be in compliance, the following policies and practices outlined shall remain in effect until such time as they may be changed, modified, or amended by a duly adopted resolution.

1. Violations shall be reported to the Architectural Review Committee (ARC), Board of Directors (BOD), Violations Committee, and Property Management agency. Any property owner that reports a violation will not be disclosed, however, the violation will be verified before any action is taken.
2. The property owner will be issued a Warning Letter if found to be in violation of the rules and will be given a reasonable period of time from receipt of the letter to remedy the violation (depending on the severity). The period of time for compliance of the violation may be adjusted according to each violation. Interruptions of a violation may be deemed as a separate violation (i.e. parking, yard maintenance, etc.) Violations of a continual nature may be deemed a separate violation for each day that the violation remains unabated.
3. If the property owner disputes the stated violation, he/she must provide written notice of such dispute to the issuing entity within 10 days of the date of the violation letter. The written notice must provide the basis for the dispute and indicate if the owner would like a hearing before the BODs.
4. If the violation is not corrected after 10 days of the written notice, and the owner has not requested a hearing to the notice of violation process with the BODs, then the BODs will assess the following fines:

Trash Cans and Recycle Bins

- * **Warning Letter**
- * **Recurring Violation....\$25.00 (plus \$5 per day until remedied)**

Continuing Violations

An escalating fine schedule shall be assessed every 10 business days against the property owner until such time as the violation is remedied. The escalating fine schedule shall be:

First Violation.....\$50.00
Second Violation.....\$100.00
Third Violation.....\$150.00

Fines will be automatically applied until resolved through the BOD or magistrates court. The initial fine may be waived at the discretion of the BOD.

Architectural Violations

1. If any structure is erected, placed, maintained, or altered on any lot, other than in accordance with the plans and specifications approved by the ARC/BOD, it shall be deemed a violation. If such violation shall have occurred, the ARC shall, within its discretion:

(a) Execute a written waiver or variance with respect to the violation, or

(b) Provide written notice to the property owner by certified mail, setting forth in reasonable detail the nature of the violation and the specific action(s) required to remedy the violation.

2. If the property owner shall not have taken reasonable steps toward the required remedial action within 30 days of mailing the violation notice, then the ARC shall have the right to proceed at law or in equity for the recovery of damages, or for injunctive relief, or both. The ARC may assess **\$30.00 per day** against a property owner for each event of non-compliance or violation, which assessment shall be a lien on the property.

3. Should a property request a hearing before the ARC/BOD, the ARC/BOD should issue a final statement of the violation description or an indication of the withdrawal of pursuit of the violation. Should the ARC/BOD confirm the existence of a violation following such hearing, the owner shall have 10 days from the issuance of such confirmation letter to remedy the violation before any fine is issued or enforced.