



### **ENFORCEMENT AND FINE POLICY**

Any complaint alleging violation of the Master Association governing documents should be processed according to the procedure outlined below:

1. First, discuss with your neighbors any issues or concerns which are bothering you.
2. If you find you have difficulty dealing with your neighbor over a problem which is in violation of the Community Guidelines, contact the Association's Property Management Company.
3. In the event two or more Members of the Association or any member of the Board of Directors file a Community Guidelines Violation Report (see Appendix A), the Board will take the following steps:
  - a. Send a violation letter stating the alleged violation and date needed to cure such violation.
  - b. Send a second letter with a notice of hearing date to the owner if the violation is not cured.
  - c. A hearing is set not less than fifteen (15) days from date of written notice for the hearing.
  - d. At the hearing, the Owner may be present, or present a written response, regarding the alleged violation at a hearing before the Board. A written decision will be sent to the Owner following the hearing.
4. The owner will be notified as to the decision rendered by the Board as a result of the hearing. If the owner is found to be in violation of the Community Association's documents, the Board will either (a) levy a Special Assessment, (b) temporarily suspend an owner's rights as a Member of the Association, (c) enter upon a Lot to perform maintenance which is the responsibility of the owner, (d) record a notice of noncompliance if allowed by law, or (e) a combination thereof.
5. If the decision is to pursue a monetary fine, the Arrowood Master Association Fine Schedule will apply.

***NOTE: A violation is defined as an act in conflict with the Community Declaration, Bylaws, Community Guidelines and Design Guidelines of the Association. Please be sure to read the CC&Rs carefully.***

#### **Fine Schedule**

1. A letter will be sent to the Owner stating the alleged violation and recommended steps to cure said violation and bring it into compliance.



2. A second letter will also be sent to the Owner stating if the alleged violation continues and this letter will request the Owner appear before the Board for a designated in person hearing to address the violation, provide oral or written evidence, ask questions and participate in discussion, as well as make final statements to determine what future steps of action of the violation are required. The Board may determine final outcome and resolution at the hearing, or the Board may rule without the Owner being present within 10 business days in writing and enforcement procedures may commence as applicable.
3. If the result of the hearing is a monetary fine, a standard fine of \$100 for the first 30 days will be applied to the Owner's account. However, please note that at the hearing the Board, within its discretion and depending on the severity of the violation, may impose a starting fine of up to \$1,000.00 per violation and may double that amount for subsequent violations.
4. If the violation continues unresolved past 30 days, the fine will increase to \$200 for the 2nd month violation, \$300 for the 3rd month violation, and \$400 for the 4th month violation and so on, with a \$100 incremental increase for each additional month of violation until the homeowner's violation is fully resolved and is once again in complete compliance with the guidelines.
5. Any fines not paid may result in legal action and further collection action in accordance with California State law at the time and determination of the Board's discretion for any account status that has a balance of \$1,000.00 or more in unpaid violations.
6. In accordance with Article VII, Section 7.9 of the CC&Rs the Board may decide to use alternative dispute resolutions to effect a cure, and the Owner may be responsible for half the cost of legal fees and/or costs to the Arrowood Master Association for said resolution.
7. If the Board determines a violation to be especially egregious and if said violation is not fully cured after the 3rd notice of an offense, the matter will then be turned over to the Community Association's legal counsel for enforcement. Any additional legal fees and expenses incurred by the Community Association will be borne by the owner.
8. Should a violation occur which imposes a financial obligation on the Community Association, such as damage to community fencing, trees, buildings, or any other Common Property, the party responsible for said violation shall reimburse the Association by way of Special Assessment for this financial obligation.
9. If an owner is experiencing severe financial hardship at the time of a fine or Special Assessment, it is highly recommended that they contact Avalon Management in order to set up a payment plan and/or set up a special circumstances review meeting with the Board to discuss possible solutions to help prevent an escalation of legal proceedings and additional fines.



## NUISANCE AND VIOLATIONS – OWNER REPORTS

Alleged violations must be reported to the Association by at least two (2) Owners representing two (2) different Residences in the Association if the violation cannot be readily identified during an inspection of the property. (Nuisance activities, dogs barking, etc.). If an Owner can provide video or photographic evidence of their allegation, it is not necessary to include a second Owner. However, photo or video evidence must be accompanied by a complaint in writing, on the form provided (see Appendix A). Please be as specific as possible in describing allegations; provide dates, times etc. Detailed complaints will assist the Board in their investigation and expedite the process. All alleged violations will be evaluated to ensure they are considered an ACTUAL infraction as defined by the Association's legal documents.



**COMMUNITY GUIDELINES VIOLATION REPORT**

Please provide all of the following information. Please be as DETAILED as possible.

Alleged Violator's Name (if known): \_\_\_\_\_

Address of Violation: \_\_\_\_\_

Date(s) and time(s) violation has occurred: \_\_\_\_\_

\_\_\_\_\_

Is the violation recurring? How often? \_\_\_\_\_

Can you provide video or photographic evidence of the violation? \_\_\_\_\_  
(No second Owner's information needed on this form, if so.)

Owner # 1  
Name: \_\_\_\_\_

Owner # 2  
Name \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Phone: \_\_\_\_\_

Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Description of violation: (If additional space is needed, please use reverse side of form.)