

**Baywood Village Homeowners' Association**  
**Schedule of CC&R Enforcement Assessments**

**WHEREAS**, Article V, Sections 1-21 of the Baywood Village CC&R's specify the "Uses Prohibited and Permitted" on the Properties, and the Association has a responsibility to take action when there is evidence that a violation of these restrictions has caused or will cause a substantive impact on a neighbor or on the Common Area, and

**WHEREAS**, the Board of Directors wants to retain the neighborly atmosphere of Baywood Village while preserving the quality of life and property in our development, and

**WHEREAS**, Article IV, Section 7 of the CC&R's specifies that the Association may levy an enforcement assessment against any owner for violation of the rules of the Association, and specifies that the Association has the authority to adopt a schedule of enforcement assessments for such violations, and

**WHEREAS**, Article IV, Section 7 continues that said schedule of enforcement assessments shall not exceed suspension of rights to use the Common Area and facilities (excluding streets, walkways, and other means of ingress and egress ) for a period of thirty (30) days and monetary levies of not more that five percent (5%) of the total regular assessment of a residence lot for each violation, and

**WHEREAS**, all residents should be aware that any schedule of enforcement assessments is only one avenue for enforcement of the rules and that, if a violation is serious enough, the Association may pursue other legal remedies, including mediation, arbitration and litigation, in which the prevailing party would be entitled to recover legal fees,

**THEREFORE, LET IT BE RESOLVED** that the following procedures are adopted in an effort to dissuade residents from violating Association rules:

1. Residents are first encouraged to communicate with their neighbors and attempt to resolve any conflicts between themselves before contacting the Association.
2. When the Association receives a complaint about a violation of the rules, a first letter of warning will be sent.
3. On report of a second violation, the Association will send a second letter with the warning that a hearing will be held if the violations continue.
4. Subsequent violations will lead to a hearing before the Board to determine if a violation has occurred and what penalties, if any, are appropriate.
5. Non-monetary penalties include suspension of rights to use the Common Area, pool, and other facilities for up to 30 days
6. **Serious** violations may carry a penalty of **up to \$100.00** per violation, and include the following sections of Article V of Baywood's CC&R's: Section 1, Residential Use; Section 2, Occupancy; Section 3, Businesses (non-passive); Section 11, Fire; Section 14, Vehicle Repairs; Section 15, Boats, etc.; Section 18, Fences; Section 19, Encroachments; Section 20, Insurance Hazard; Section 21, Project Common Area; and, **repeat** Violations of **any** Association rule.
7. **Other violations** may carry a penalty of **up to \$25.00** per violation, and include all infractions of the CC&R's, Resolutions or rules of the above Association that are not included in the "serious" violations above.
8. The foregoing does not limit the Association's authority to take other actions as provided in the CC&R's, By-Laws, Resolutions, or other rules of the Association.