

CC&R ENFORCEMENT PROCEDURES

Approved by the Board of Directors, February 1992

Urgent Reports: To expedite the correction of urgent matters regarding unlawful conduct or health and safety issues, or an association, management, maintenance or subcontractor performance problem, residents should immediately call the Association Manager. If a call is received after office hours, the Security Officer on duty will take the call.

Resident CC&R Violation Reports: Residents may report non-compliance with the Association's CC&Rs by calling or writing to the Association Manager along with the address or location of the alleged violation.

Scope of Enforcement: Violations of the Association's governing documents and these Rules and Regulations, will subject the violator to the CC&R Violation enforcement procedures contained in Article X.

First Step: When the Manager or Board receives information concerning a possible CC&R violation, an attempt will be made to resolve the matter by telephone or courtesy letter. If not corrected, a First Notice letter will be sent to the resident requesting correction of the violation. If the resident is a tenant, the owner of the property will receive a copy of the letter.

Second Step: Failure to comply will result in a Final Notice that *if* the violation is not corrected, the violator will be requested to appear before the Board of Directors for a CC&R enforcement hearing. The Notice will be personally delivered to the Owner or sent Return Receipt U.S. Mail at least fifteen (15) days before the scheduled hearing. The Notice shall include the date, time and location of the Hearing; the specifics of the violation or complaint; and the range of possible penalties if not corrected. Owners are responsible for their tenant's CC&R violations and both parties may be required to appear at the hearing.

Third Step: The Board of Directors shall hear the charges according to the provisions of *CC&R* Article X - Enforcement Remedies. Following the hearing, the Board shall convene an Executive Session, shall take all facts into consideration and determine whether the owner/tenant has violated the CC&Rs; the deadline for correcting the violation; and the penalty for failure to comply. The owner/tenant shall be notified in writing of the Board's decision within five working days following the date of the hearing.

Rescheduled Hearing: If the owner/tenant can show acceptable good cause as to why he/she cannot attend the hearing, he/she must notify the Board at least 48 hours prior to the originally scheduled hearing. If the Board accepts cause, it will reschedule the hearing and deliver notice of the new date ten (10) days prior to the rescheduled hearing.

Hearing Default: If an owner/tenant called for any hearing fails to appear or to request a postponement of a hearing as prescribed in "Rescheduled Hearing" above, the Board shall proceed with the hearing In Absentia.

Enforcement: CC&R enforcement may proceed according to Article XIII as determined by the Board of Directors.