

## ***Pryor Meadows HOA Enforcement and Fine Policy***

The governing documents of the Pryor Meadows Homeowners' Association allow for the Board of Directors to enact necessary and reasonable policies (Bylaws - Section 1.3, paragraph (b) and Section 1.4, paragraph (a)). These policies are created with the intention to safeguard your personal property values and to enhance your enjoyment of the neighborhood. The following policy was adopted on May 10, 2013 by the Board of Directors in accordance with the powers granted by the governing documents of the Pryor Meadows Homeowners' Association.

### **Enforcement Policy**

When an infraction of the governing document and/or Rules and Regulations has been brought to the attention of the Board of Directors, a friendly reminder notice will be sent to the owner of record of the property alleged to be in violation. If the violation is confirmed and the homeowner does not resolve the situation, the board may elect to fine the homeowner who is in violation to assist in correcting the problem (Bylaws – Section 1.9).

Please note that while fining owners for failure to comply with the Association's governing documents, which includes, but is not limited to the Bylaws, Declaration of Covenants, Conditions and Restrictions, and Policies and Procedures adopted and amended from time to time, is within the Association's legal rights, it is not the desire of the Association to assess and collect fines. It is the duty and intent of the Association to achieve compliance within a reasonable time frame.

If the remedies do not gain compliance and the violation persists, the Board may further elect any of the following options:

Continue daily, weekly or monthly fine schedule;

Offer to resolve disputes through arbitration or mediation;

Hire an attorney to file suit in court seeking a court order enjoining said information and to have reimbursement of the Associations' legal fees and any and all costs incurred.

## **Rules of Enforcement and Fine Policy**

Due process for the policy will consist of the following:

1<sup>st</sup> notice - Property Owner will be given a written courtesy reminder of the complaint and rule violation by Property Manager. This notice will include a Target Date for compliance. Property Owners may request a hearing before the Board of Directors at any time if they think a potential exception may be justified.

2<sup>nd</sup> notice – If the Property Owner has not resolved the complaint by the identified Target Date, the Property Owner will be given a notice of non-compliance which will contain the resulting fine that has been imposed. This notice will include a Second Target Date specifying when additional fines will be imposed.

3<sup>rd</sup> notice –The Notice will be sent if the Property Owner has not resolved the complaint by the Second Target Date. This Notice will also define when future fines will be imposed if the complaint is not resolved and identify other actions that the Board of Directors may implement to resolve the complaint. This Notice will also remind the Property Owners that they may request a hearing before the Board of the Directors at any time to explain their situation if they think a potential exception may be justified.

It is the objective and desire of the Pryor Meadows Homeowners' Association Board of Directors to obtain compliance. There is no interest or desire to collect fines from Property Owners. However, if the Board finds that a penalty assessment (which may include reimbursement for damages and/or other administrative costs) is necessary, then Property Owners should know that any such fines, all costs incurred in collecting such fines, and reimbursable amount to the Association will be borne by the Property Owner and subject to the Fair Debt Collection Act.

### **Fine Schedule**

1<sup>st</sup> Violation – A friendly reminder letter asking the Property Owner to correct or cease the violation.

2<sup>nd</sup> Violation - \$50 fine

3<sup>rd</sup> Violation - \$100 fine

Continue failure to comply with the Pryor Meadows governing documents may lead to future fines of up to \$25 per day until compliance is obtained. The Board of Directors also maintains the option of hiring appropriate contractors and/or personal in order to correct the infraction in which case all costs will be assessed to the property owner.