



Warner Creek Homeowners Association

Board Policy Statement Violations and Fines

I. PURPOSE

This policy shall serve to describe the process for initiating notices of non-compliance and associated fines for those that are determined to be non-compliant with the policies and bylaws of the Warner Creek Homeowners Association.

II. REPORTING

Reports of violations or complaints should be submitted to the designated management company via web or email. Complaints may be submitted anonymously. Violations shall be considered on both a complaint basis and as part of regular enforcement activities performed by the board's designated management company or members.

Reports should include as much of the following information as is available: dates, times, names, addresses and description of the apparent violation, and any other pertinent details.

Investigation of complaints shall be limited to those under the purview of the Warner Creek Homeowners Association. Complaints received which are otherwise the subject of township or other governmental authority shall not be considered under this policy.

III. NOTICE OF VIOLATION

Reports of a violation deemed to have merit will be issued a Courtesy Notice of Violation by USPS and email, if on file. Homeowners shall have fourteen (14) days to either correct the violation or submit a request for extension in writing. Requests for extension will be considered by the Board of Directors within fourteen (14) days of receipt. A majority vote of the Board of Directors is required to approve an extension. Failure on the part of the Board to take action shall be deemed acceptance of the extension request.

Extension requests must include justification and a clearly articulated date for correction of the violation. Homeowners are advised to plan accordingly when submitting timelines for correction to include any anticipated requirement for Architecture Board of Review approvals. The ABR has up to thirty one (31) days to review and issue approval for any requests. The Board of Directors

shall not be responsible for delays associated with activities that require approval of the Architectural Board of Review.

See Section IV on Compliance Reporting for further details on reporting compliance. No fine shall be assessed within the Courtesy Notice of Violation period. Formal Notices of Violation shall be due within thirty (30) days or subject to late fees.

Failure to respond to a Courtesy Notice of Violation and/or failure to correct the deficiency within the time prescribed shall be grounds for issuance of a Notice of Violation. Residents shall have fourteen (14) days to appeal the violation in accordance with Section V. Notices of Violation will be sent by USPS and email, if on file.

IV. FINES

Notices of violation shall carry the following fines:

- First violation - \$50.00
- Second violation - \$100.00
- Additional violations - \$200.00 each

The Board further reserves the right to initiate separate legal action outside of and/or in addition to this fine schedule. Unpaid fines shall be added to the homeowner's account. Each Notice of Violation for the same infringement that has not been successfully appealed or in which the homeowner fails to comply within the time prescribed will be counted when applying the fine schedule.

V. COMPLIANCE REPORTING

Homeowners who wish to submit evidence of compliance with the corrective action requirements of either a Courtesy Notice of Violation or Notice of Violation shall do so in written form through the Compass Management resident portal and include photographic evidence of compliance to the designated management company of the Board. Final determination of compliance may be subject to on-site inspection.

VI. APPEALS

The Notice of Violation shall serve as the form of appeal for non-compliance issues. Appeals must be received within fourteen (14) days of issuance to be considered. Appeals must include clear citations to existing bylaws or Architectural Board of Review rules as a means of justification. Appeals shall be heard within thirty (30) days of receipt by the Board of Directors. A majority vote of the Board of Directors is required to grant an appeal and appeals may be granted with conditions.

Notices which are successfully appealed shall have all fines waived. Successful appeals will remain on file, for continuity of policy, but will not be

counted in the fine schedule. Final disposition of the appeal shall be given in writing.

Notices which are unsuccessfully appealed shall have all fines due and payable within ten (10) days. Unpaid fines shall be added to the homeowner's account. Correction of the violation which led to the Notice first being issued must occur within the time specified in the letter advising of the unsuccessful appeal or another Notice of Violation will be issued.

VII. ADOPTION

This policy was adopted by a majority vote of the Warner Creek Homeowners Association Board at its meeting on July 24th, 2022.

VIII. EFFECTIVE DATE

This policy shall be effective thirty (30) calendar days from the date of adoption.