

## ORANGECREST COUNTRY COMMUNITY ASSOCIATION

### RULES ENFORCEMENT/FINING SCHEDULE

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The Association and/or any owner has the right to enforce the Association's Rules and Regulations. This right includes requesting the violator to cease the offending action, taking legal action against the violator and making a complaint to the Board of Directors. Once a resident gives the Board of Directors a written complaint that a rule has been violated, the Board will investigate the allegation and may take action against the offending resident, including but not limited to, fining or specially assessing, if appropriate, or instituting legal action. However, nothing in this section obligates or requires the Board of Directors or authorized committee to take any action against an individual resident. The Board of Directors, in making this decision, will determine the costs and benefits of taking such action.

A. DUE PROCESS:

Prior to the imposition of any fine, individual reimbursement assessment or suspension of rights, the homeowner shall be given notice and an opportunity to appear in person or in writing before the Board of Directors or appropriate committee.

B. ENFORCEMENT GUIDELINES:

GENERALLY, though not necessary, the Association will adhere to the following schedule:

1. First Offense: Warning Letter and Request to Correct Violation (if applicable). Possible fine not to exceed \$250.00, special assessment to reimburse the Association for costs incurred in compelling compliance, suspension of privileges.
2. Second Offense: Possible imposition of fine not to exceed \$400.00, individual assessment to reimburse the Association for costs to compel compliance, suspension of privileges. Institute Alternative Dispute Resolution and/or Internal Dispute Resolution. Filing of lawsuit.
3. Third Offense: Possible imposition of fine not to exceed \$750.00, special assessment to reimburse the Association for costs to compel compliance, suspension of privileges. Institute Alternative Dispute Resolution and/or Internal Dispute Resolution. Filing of lawsuit.

Depending on the severity and frequency of the violation and violator, the choice of the enforcement procedure(s) and/or the enforcement remedy utilized may vary. Fines will usually vary from \$100.00 to \$750.00 (in extreme cases, the fines may be substantially higher).

The Association reserves the right to institute any of the above-referenced enforcement measures regardless of whether it is first offense, second offense, etc.

*Adopted by the Board of Directors August 10, 2005.*