

**POLICY REGARDING FINES FOR VIOLATIONS OF THE POLICIES, RULES  
AND REGULATIONS OF THE TOWNHOMES ASSOCIATION OF THE  
VILLAGE AT DEER CREEK INCLUDING THE ARCHITECTURAL REVIEW  
MANUAL**

**LEVEL 1 VIOLATIONS:**

- A. Non-compliance issues that can be resolved within 24 hours.
- B. Issues that do not involve any cost to comply.
- C. Issues that cannot be appealed – unit owners MUST comply.

Some typical violations that would fall into LEVEL 1 include, but are not limited to, blocking sidewalks, holiday decorations up past stated deadline, signs on the common ground, dog droppings, excessive yard art, etc.

The procedure for LEVEL 1 is as follows:

1. Upon receipt of a complaint by any association member, the Property Manager, a member of the Board or the Board's designee will investigate such complaint.
2. If the report is determined to be accurate, written notice will be sent to the owner via first class mail. This notice will state: Owner is asked to correct the violation within nine (9) calendar days from the date of the letter and inaction will result in a fine ten dollars (\$10) per day commencing on the tenth (10) day and continuing until the violations is corrected.
3. Any unpaid fine shall be collected as described in Article XII, Section 5 of the Declaration of Covenants, Restrictions, Assessments and Easements.
4. By imposing fines, the Board is not waiving its remedy under the Declarations or by applicable law.
5. Should the violation be repeated a fine will be imposed immediately and the owner will be notified via first class mail.

## **RESOLUTION REGARDING FINES, CONTINUED**

Page two of three

### **LEVEL 2 VIOLATIONS:**

- A. Non-compliant issues that cannot be resolved in 24 hours.
- B. Issues that may or may not involve costs to the owner.
- C. Issues that the homeowner has a right to appeal.

Some typical issues that would fall under LEVEL 2 include, but are not limited to, unapproved landscaping, alterations to the exterior of unit, satellite dishes, etc.

The procedure for LEVEL 2 is as follows:

1. Upon receipt of a complaint by any association member, the Property Manager, a member of the Board or the Board's designee will investigate such complaint.
2. If the report is determined to be accurate, written notice will be sent to the owner via first class mail. This notice will state: Owner is asked to correct the violation within nine (9) calendar days from the date of the letter and inaction could result in a fine.
3. If the violation is not corrected within the nine (9) days the home owner will be notified via certified mail, return receipt requested, that a fine of twenty five (\$25) dollars per day will be levied against the owner beginning on tenth (10) day following the date of said notice, as designated in the Declaration of Covenants, Restrictions, Assessments and Easements or in the specific Rule, Regulation or Guideline and continuing until the violation is corrected. Included in this notice will be information regarding the owner's right to appeal this decision in writing.
4. Any owner receiving a violation notice, who believes no violation occurred, may submit a written appeal to the Board and will be offered an opportunity to meet with the Board in an executive session within thirty (30) days of the request. Any fines assessed will continue during this time, but may be subsequently waived or reduced by the Board if the Board finds no violation did occur or that extenuating circumstances existed.
5. Should the violation be repeated at a later date, the owner will be notified by first class mail and the fine will commence immediately.

**RESOLUTION REGARDING FINES, CONTINUED**

Page three of three

6. Any unpaid fine shall be collected as described in Article XII, Section 5 of the Declaration of Covenants, Restrictions, Assessments and Easements.

7. By imposing fines, the Board is not waiving its remedy under the Declarations or by applicable law.

**FINES FOR BOTH LEVEL ONE AND TWO WILL NOT EXCEED TWENTY FIVE HUNDRED DOLLARS (\$2,500.) PER INCIDENT.**

**RATIONALE:** Per the Declaration of Covenants, Restrictions, Assessments, and Easements of Village at Deer Creek, Article III, Section 2, (b), (d), (e), (f), (g), (h), (l), (o) and (p), the Homeowner Association's Board of Directors (the Board) has sole responsibility for promulgating rules and regulations regarding the use and restriction of use of said land and the exterior of the buildings. Enforcement of such rules is provided for in Article XVII, Section 2.

Approved by the Board:  
December 19, 2013

## **OPTION FOR LETTER REGARDING CERTAIN LEVEL II VIOLATIONS**

It has come to our attention that you have violated the policy of the Village at Deer Creek Townhomes Association by not obtaining the approval of the Architectural Review Committee (ARC) before altering the exterior of your home.

According to the Policy Regarding Fines for Violations of the Policies, Rules and Regulations of the Townhomes Association of The Village at Deer Creek, Including the Architectural Review Manual, you have the option of correcting the violation within nine (9) days from the date of this letter and the damage done to the exterior must be repaired as approved by the ARC. If no correction is made, a fine of \$25 will commence on the tenth (10) day and continue until the violation is corrected. As the policy states, this decision may be appealed.

The Board understands that there may not be another choice available to you regarding the unapproved change. Taking that into account, the Board has determined that you may pay a fine of \$100 for not obtaining approval and the matter will be closed.

Please respond within the nine(9) day period or the fines will commence as stated in the policy.