



PRAIRIE FARMS HOMES ASSOCIATION

1074 W. Santa Fe, Olathe, KS 66061-3173

Phone: 913-393-1555 Fax: 913-393-1551

To: All Prairie Farms Homes Association Members

On August 3, 2017, the Advisory Board of Directors and Prairie Farms Developer unanimously agreed to establish a protocol for the levying of fines for violations of the Prairie Farms Declaration of Restrictions. It is the Board of Directors and Developer's determination that the Board must have a means of effectively enforcing compliance with our Restrictions.

The attached Covenant Enforcement will take effect ten (10) days after it is mailed/emailed to you. And please know, your current Advisory Board and future Boards have volunteered to serve your community. It will always be our hope that fines are unnecessary in the administration of our Restrictions.

Thank you.

Sincerely,

Todd Bleakley
Developer

**NOTICE FROM THE BOARD OF
DIRECTORS OF PRAIRIE FARMS HOME OWNER'S ASSOCIATION**

Covenant Enforcement

The Homes Association Declaration and Declaration of Restrictions for Prairie Farms Homes Association as amended, (hereafter "Declarations") grant the Board of Directors ("Board") of the Association the power to enforce all covenants, restrictions, easements and charges contained in the Declarations.

The Board desires to promote the health, safety and general welfare of all residents within the Association and to enhance and protect the value, desirability, and attractiveness of all property within the community by adopting guidelines and procedures to address concerns and complaints about the enforcement of the Declarations.

Notice is hereby given that the following covenant enforcement procedures will be followed:

1. **Effective Date.** These rules and procedures shall become effective ten (10) calendar days after notice of their enactment is mailed to all owners.

2. **Complaints.** The Board will investigate all reported violations of the Declarations to the Board (or the Association's community manager) in writing and signed by the complainant within thirty (30) calendar days after the complaint is delivered to the Board. Inquiries or complaints that, in the opinion of the Board, lack sufficient detail may be returned without further investigation. The Board may independently investigate violations raised by Board Members.

3. **Notification to Owners.** If the investigation shows the report of violation is accurate, the Board shall give written notice by registered mail, return receipt requested, to the owner setting forth in reasonable detail the nature of such violation or breach and the specific action or actions which must be taken by the owner to remedy such violation or breach. The notice shall give the owner ten (10) calendar days to cure the violation or to submit a plan to remedy the violation. Alternatively, the owner may request, within ten (10) calendar days of notice of violation, a hearing with the Board to appeal the notice of violation. Once an appeal is received, the Board shall hold an appeal meeting within 30 calendar days to review the matter with the property owner. If the appeal meeting does not take place within 30 calendar days, the matter is considered closed as to that specific violation. The Board's decision on the appeal is final.

4. **Fines.** If the owner does not request a hearing or if the Board determines that a violation or breach exists after a hearing, the Board may levy a fine of up to \$250.00 per occurrence against the property in violation of the Declarations. If the violation or breach is not corrected within thirty (30) calendar days after the initial fine is assessed, the Board may levy an additional fine of up to \$250.00 for each additional

thirty (30) calendar days that the violation or breach exists.

5. **Collection Provisions.** All fines, costs and expenses necessary to enforce this policy shall be an assessment against the owner's property and subject to all lien and collection powers of the Association.

6. **Unresolved Violations.** After the expiration of sixty (60) calendar days following notice of a violation which no hearing is requested or alternatively after an appeal in which the violation was upheld, the Board may:

- 6.a Suspend the rights or privileges of the owner relating to use of any common property within the Association and suspend the voting rights of the owner;
- 6.b Pursue all rights of action available at law or in equity including, but not limited to the remedy of injunctive relief and obtaining a monetary judgment for all costs, expenses, including reasonable attorney fees, and damages.

Adopted by The Board 3rd day of August, 2017.