

Adopted: January 11, 2017  
Effective: February 1, 2017

**Southfield Crossing Homeowners Association  
Enforcement Policy**

**I. Enforcement**

**Publication of Rules and Regulations**

1. Every Unit Owner should get a copy of the Declaration, Bylaws, and all existing Rules and Regulations when they move into a Unit.
2. If a Unit Owners needs a copy of Rules and Regulations, they can contact the property manager or member of the Board. The Association will charge the Unit Owner \$45.00 for each hard copy. The Association will not charge the unit owner to send copies thru electronic mail.

**Original Warning**

3. If a Unit Owner violates any portion of the Declaration or any of the Rules and Regulations, the Association or Property manager will send the Unit Owner a warning. The warning letter may be mailed or placed in the Unit Owner's mailbox/door/other. The Association shall have no affirmative obligation to monitor on any regular basis possible violations, but shall respond to any complaints from Unit Owners made in writing.
4. For any ongoing violation (such as failing to maintain the yard, failing to maintain the exterior of a Unit, having an unpermitted structure in the yard, keeping more than the permitted number of pets, etc.), the Unit Owner will have 5 days to correct the violation.
5. For any violation that is a single occurrence (such as a parking violation, creating a disturbance with noise, smoke, light or other reason, failing to curb a pet, etc.) the Unit Owner will receive a warning that a repeat of the action in the next twelve (12) months will be a violation.

**Notice of Violation**

6. If a Unit Owner fails to correct an ongoing violation in 5 days, or commits another single occurrence violation within 12 months after being warned, the Unit Owner will receive a Notice of Violation.
7. The Notice of Violation will state the provision of the Declaration,

Rules or Regulations that have been violated, and the amount of the fine that is assessed.

#### Opportunity to Dispute Violation

8. If a Unit Owner disputes that he or she has violated the Declaration, Rules or Regulations, the Unit Owner must notify the Property Manager or Board in writing, within 10 days of receiving the Violation. The notice only needs to say that the Unit Owner disputes the violation, and would like an opportunity to be heard by the Board.
9. The Board will allow the Unit Owner to dispute the violation in person at the next regularly-scheduled Board meeting. The Board may chose to hold a special meeting, if it is agreeable to the Unit Owner.
10. The Unit Owner will have 5\_\_ minutes to present his case. The Board may allow additional time if the Board, at its discretion, thinks it is required.
11. The Board may hold the remainder of its meeting in private, consistent with its policy.
12. The Board will tell the Unit Owner its decision either verbally at the meeting or in writing within 10 days.
13. Failure to dispute the Notice of Violation within 10 days, or failure to appear at the meeting will waive the ability to dispute the violation.
14. The Unit Owner and/or the Board may have an attorney present at the meeting.

#### Fines

15. If the Board determines that the Notice of Violation was not proper, there will be no fines.
16. If the Board determines that the Notice of Violation was correct, the fines for the violation will begin from the date on the Notice of Violation.
17. For any continuing violation, the fines will be as follows:
  - a. Original fine will be \$50.
  - b. On the first day of the next calendar month (unless the Notice of Violation was given in the last 5 days of the month), an additional fine of \$100 will be assessed.
  - c. On the first day of any following calendar month, an additional fine of \$200 will be assessed.

4. For any single occurrence violation, fines will be as follows:
  - a. The first occurrence within 12 months will be \$50.
  - b. The second and any additional occurrences will be \$100.
  - c. Until 12 months pass between violations, each new occurrence will result in a Notice of Violation, not a Warning.
18. The Board will change the amount of fines from time to time, to give reasonable amounts for the enforcement of the Rules and Regulations.

#### Fines as Liens against Unit

19. All fines will be assessed against the Unit. They become a lien on a Unit, just like assessments.
  20. All fines will accrue interest if not paid in the same manner as assessments.
  21. The costs of collecting fines, including court costs and attorneys' fees, will be assessed against the Unit Owner in the same manner as assessments.
  22. Payments from the Unit Owner will be applied in the following order, regardless of any dispute or notation or instructions placed on the payment: Interest, late fees, costs of collection including attorneys' fees, and then to the fine.
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#### Board Discretion

23. The Board may decide to waive a fine for a violation for a good cause.
  24. Any waiver of a fine in one circumstance does not preclude the Board from enforcing a Rule or Regulation or imposing a fine in the future.
  25. Because the enforcement of the Rules and Regulations is the responsibility of the Board and in the best interests of the Community as a whole, a Board member will not have a conflict of interest if he or she may benefit from the decision being made or if the Board member discovered the violation.
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