

To All Village IV Homeowners, Renters & Guests

“Let’s Keep VILLAGE IV a Great Place to Live”

- Maximum speed limit on Village roads of 15 M.P.H
- The pool gates must be locked at all times.
- Please throw trash to rear of dumpsters. no recyclables in trash dumpsters and, no trash in recyclables dumpster.
- Renters and/or guests are not allowed to have pets.
- Air-conditioning/heating companies must use a 32 foot ladder to gain access to roofs (climbing on tiles is not allowed).
- Major appliances and electronics must be disposed of off-site.

Attached are the Village IV RULES AND REGULATIONS for reference.

A little effort by all will keep Village IV neat, clean and safe.

THE BOARD OF DIRECTORS
VILLAGE IV HOMEOWNERS’ ASSOCIATION

VILLAGE IV HOMEOWNERS' ASSOCIATION

Rules & Regulations

Introduction

Condominium living means a group of people has agreed to reside together in a complex to provide them with common amenities. All space within the walls of the individual units is the responsibility of the individual owner. All other areas with the exception of patios and balconies are part of the community and are known as common grounds. In order to maintain the integrity of the complex, all owners (and/or renters) may not make changes to the appearance of outside walls or surrounding areas without the written consent of the Board of Directors.

Some of our condominium units are rented to outside tenants. It is imperative that all owners (and/or rental agents) be aware that any infraction of the Rules, Regulations, Covenants, Conditions and Restrictions is the sole responsibility of the owners of record. Any fine/assessment will be levied against that specific unit owner. All tenants and/or rental agents must be provided with a copy of the Rules and Regulations. Owners are required to Register Lease/Rental agreements with the Property Manager prior to commencement of any Rental, including relevant contact information. Owners are also responsible for the actions of their guests. It is suggested that a copy of these Rules & Regulations be posted in a prominent place in your unit for renters.

The Board of Directors is authorized to make and manage Rules & Regulations for condominium residents in order to protect and maintain a healthy, safe and congenial living environment on behalf of all Homeowners.

The following Rules & Regulations enhance the Covenants, Conditions and Restrictions (CC&Rs). All Rules & Regulations and CC&Rs are to be observed.

General

Litter free environment

Owners are responsible for a litter-free environment around their unit.

All trash/garbage is to be placed inside tied up plastic/paper bags and must be placed inside the dumpster.

The dumpster covers and dumpster enclosure doors should be closed completely after use.

Moving boxes must be broken down before being placed in the recycling bin and shall not overflow the recycling bin.

Major appliances must be disposed of off-site.

Cigarettes/butts are to be properly disposed of, not on walks or common areas.

Boxes, Debris laundry and other unsightly objects are not permitted on patios/balconies.

Patios and decks are not storage areas.

No personal property is to be placed over night on lawns, open areas & common areas. Air-conditioning/Heating Companies must use a 32 foot ladders to access the roof area. (Contractors are not allowed to walk on the tile areas. They must gain access from the parapet wall).

Pets

A maximum of 2 pets (cats/dogs) are permitted in each unit.

NO PET SHALL WEIGH MORE THAN 15 POUNDS.

All pet litter must be picked up immediately, placed in a secure container (i.e. plastic bag) and discarded inside the dumpster.

Leash laws for four-footed pets must be observed (including cats).

Do Not Feed or Provide Water to Birds. Bird food (bread crumbs included) is not to be strewn on the grass or other common areas.

Hummingbird feeders are allowed, but no other bird feeders as the food attracts birds.

Renters or guests are not allowed to have pets.

Parking and Street Use

A 15 MPH speed limit is to be observed on all complex streets.

YOUR VEHICLE SHOULD ONLY BE PARKED IN YOUR UNIT'S ASSIGNED SPACE.

Changing parking space numbers is not permitted.

Vehicles are not to be stored in guest parking spaces.

Parking or storage of RV's, trailers, boats, etc., is not permitted on Village Four premises.

Ball playing, skating, roller-blading or skate boarding, is not permitted on complex streets as this can be very dangerous.

Unnecessary noise is prohibited (including horn blowing) on complex streets.

Units

A business or hobby that disturbs the peace of other unit owners is not permitted.

The volume of radios/TV's/stereos, musical instruments, etc., should not disturb neighboring units.

All repairs, alterations, etc., involving noise must be made within the of 8:00 am to 8:00 pm.

ONLY ELECTRIC BARBECUES WITH A COVER MAY BE USED ON THE PATIO/BALCONY. THE SCOTTSDALE FIRE DEPARTMENT WILL ENFORCE THIS RULE. NO PROPANE OR CHARCOAL GRILLS ARE ALLOWED.

Architectural

The Architectural integrity of the builder's design plan must be maintained.

Any exterior painting must be done with approved colors.

Sun-blocking screens or hangings for patio/balcony areas may be applied for through an Architectural Request Form. Conditions will be prescribed for each application at the time of Approval by the Board.

All special window screens (sun) require written approval from the Board.
Screen/security doors must be painted to match outside trim and have written approval from the Board.

All safety and/or decorative window/door grillwork requires written approval from the Board.

Any additional plantings in accepted common areas requires written approval from the Board.

National flags may be flown from sunrise to sun-set only (as per law).

The back patio decks and 2nd floor decks are the responsibility of the individual homeowner. It is not advisable to install carpeting, tile, etc. on second floor decks. This could result in trapped moisture, which may lead to the deterioration of the ceiling and walls on the first floor. Damage to the private patio deck and subsequent ceilings and walls below are the responsibility of the homeowner. The Installation of carpeting, tile, etc. to the front landing requires approval by the Board of Directors prior to installation. If approval is granted by the Board, in writing, the homeowner will assume responsibility for all maintenance and repair.

Pools

Gates are to be closed and locked at all times.

Children under 14 are not permitted in pool areas without adult supervision (over 18) or guardian.

Diving is not permitted in the pool.

Infants in diapers are not allowed in the pool.

Glass is not allowed in the pool area. If any glass is broken in pool area and pool must be drained because of it, all expenses relating to this will be borne by offending homeowners.

Floats are not permitted in the pool when it is crowded.

BALL PLAYING IN POOL OR ON POOL DECK IS NOT ALLOWED WHEN OTHERS ARE PRESENT.

RESERVATIONS OF CHAISE LOUNGES (TOWELS, ETC.) ARE NOT PERMITTED (FIRST COME FIRST SERVED).

An 18-inch walkway around the pool is to be kept clear of chairs, chaises or other impediments.

All litter is to be placed in trash bins.

Suntan oils/lotions should not be used before entering the pool or Jacuzzi.

Headphones only for music or other audio equipment unless specific permission has been provided in advance.

The pool is a NO NOISE area after 10:00 PM.

The gas at pool barbeques is to be turned off after use.

Clean up barbeques and area after use (please hang up brush).

ADDITION TO THE VILLAGE FOR RULES AND REGULATIONS

RENTERS OR GUESTS OF UNITS WITHIN VILLAGE FOUR WILL NOT BE

ALLOWED TO HAVE PETS IN THE UNITS. ANY LEASE SHALL CONTAIN A PROVISION PROHIBITING PETS.

Enforcement

In order to maintain a safe and comfortable environment for all residents, and since we do not employ a community security company, we, the owner, must each be responsible for the enforcement of these Rules & Regulations.

National Property Services and The Board of Directors is authorized to levy a fine against unit owners who violate any Rules, Regulations or CC&Rs.

When an infraction is observed (i.e. garbage not placed inside the dumpster), a polite and neighborly reminder, person to person, is the fastest and easiest way to resolve the situation.

If a direct suggestion does not work, or if this is not feasible, a written and signed report of the violation should be sent to the Property Manager, Village IV Homeowners' Association, PO Box 31176, Phoenix, Arizona 85046. The business telephone is 480-443-5566.

We cannot respond to anonymous reports of rule violations. The name of the individual making the report will be kept confidential (unless it goes through legal proceedings). If any further action is required, the Property Manager will bring the matter before the Board of Directors for resolution.

Upon receipt of the first report, the Property Manager (representing the Board of Directors) will send a letter of information to the person in violation of a Rule, Regulation or CC&R.

When a second report (for the same offense) is received, a letter of violation will be sent to the offending party.

On the receipt of a third report relating to the same offense, a notification of fine letter will note that a fine of no less than \$25.00 and no greater than \$500.00 (depending upon infraction) is assessed against the unit. A schedule of offenses and related fines is appended to these Rules and Regulations.

Any recipient of such notification(s) may/may not elect to deny/defend any allegation of a violation to the Property Manager within 10 days. For further action, any recipient of these notification(s) may request a hearing at the next scheduled board of Director's meeting.

All owners are responsible for the acts of any guest, tenant, agent, or members of their family for any infractions of the Rules and Regulations or CCRs of Village IV Homeowners' Association.

Village IV HOA

Schedule of Violations and Fines

CATEGORY		FINES (See Notes Below)		ADDITIONAL ASSESSMENTS (Collateral Costs)	RULES & REGULATIONS REFERENCES (See attached)
Description	1st Notice of Fine	2 nd Notice of Fine	3 rd Notice of Fine		
<u>Pets</u>					
Oversize (Greater Than 15Lbs), Fouling, Off Leash	\$300 per occ.	\$300 per occ.	\$300 per occ.	Legal Costs	Rules & Reg's Pets
<u>Rentals</u>					
Notice to NPS	\$300 per occ.	\$300 per occ.	\$300 per occ.	Legal Costs	Rules and Reg's Introduction
Short Term Rental Less Than 30 Days, Pets (Non ADA Certified)	\$300 per day Until resolved.			Legal Costs	CC&R's
<u>Waste Management</u>	\$100 per occ.	\$250	\$500	Legal Costs	Rules & Reg's General Litter Free Environment
<u>Parking, Speeding, Noise, etc. per HOA Guidelines</u>	\$100 per occ.	\$250	\$500	Legal Costs Plus Towing Costs	Rules & Reg's Parking and Street Use
<u>Homeowner Unit Violations</u>					
Unauthorized Works	\$100. Per Occ.	\$200 Per Occ.	\$500 Per Occ.	Legal Costs + RE/RE	Rules & Reg's Architectural
Pots/Ornaments on Stairs and other Common Elements	\$100. Per Occ.	\$200 Per Occ.	\$500 Per Occ.	Legal Costs	Rules & Reg's Architectural
Unauthorized Hangings, including towels, bathing suits,	\$100. Per Occ.	\$200 Per Occ.	\$500 Per Occ.	Legal Costs	Rules & Reg's Architectural

patio screens, area rugs, etc.					
<u>Bird Feeding</u>	\$300 Per Day	\$300 Per Day	\$300 Per Day	Legal Costs	Rules and Reg's NB: No Courtesy Notice.

**VRA VIOLATIONS
(Fines Administered by Village
IV)**

Pools & Tennis/Pickleball Courts Violations (VRA)					
Security Gate Violation	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Unsupervised Children under 14	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Diving in Pool	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Diapered Individuals in Pool	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Glass in Pool Area	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs Plus <u>All</u> Costs to Clean Pool Area. 21 Day warning period will not apply WRT the recovery of Costs to Clean Pool Area.	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Pool Toys/Floats in Pool When Busy	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Ball Playing in Pool	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Unreasonable over commitment of Pool Furniture.	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA

Interference with pool deck within 18" of the pool	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Use of Sunscreen/Products/Oils/Lotions before entry to Pool/Jacuzzi	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs Plus Any Costs to Clean Pool/Tennis/Pickleball Courts	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Use of Audio Equipment that interferes with others	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Misuse of Barbeques	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Cleanup of Barbeques	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Excessive Noise on Tennis/Pickleball Courts	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Failure to Leave Pool, Tennis/Pickle Ball Courts Clean after use.	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs Plus Any Costs to Clean Pool/Tennis/Pickleball Courts	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Sanitizing furniture, etc. used after use per Covid 19 Guidelines	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs Plus Any Costs to Clean Pool/Tennis/Pickleball Courts	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA
Use of Pool/Tennis/Pickleball Courts Outside of Permitted Hours	Per VRA R&R's	Per VRA R&R's	Per VRA R&R's	Legal Costs	Rules & Reg's Pools (VRA). Violations Assessed and Delivered by HOA

Notes:

1. Individual Fines no less than \$25 and no greater than \$500 per occurrence and may be assessed on a daily basis. Reference Rules and Regulations – Enforcement.
2. First Actionable Item is Courtesy Notice of a violation is issued, with 21 days to comply. (Certain violations will not be given 21 days to respond as noted)
3. Application of Fines:
 - a. Fines are applied either on a per day or per occurrence as noted in the table.
 - b. After 21 days, if there is no compliance, a letter of violation of a Rule, Regulation, or CC&R will be sent to the offender. This is defined as the Second Notice.
 - c. After another 7 days, if there is no compliance, the above schedule of fines will be applied. A notification of Fine Letter will be issued notifying the offender of the Violation and the listed fine. The Offender will have 14 days to make payment of the fine or launch an appeal. If the fine is not paid and the violation has not been set aside as a result of a successful appeal, a second fine will be issued in addition to the first fine.
 - d. Failure to pay both the first fine and the second fine within 14 days' notice of the second fine violation will result in a third, additional, fine applied to the offender's account.
4. Where the violation has resulted in damage to the Common or Limited Common Areas of the Village, total restitution and remedial costs, including legal costs and any consequential costs, will be assessed upon the Offender.
5. Whenever any glass is broken in the pool area, and the pool must be drained as a result of the broken glass finding its way or suspected to having found its way into the pool, all expenses to restore the pool to a safe operating state for the Homeowners, will be borne by the offending homeowners.
6. In the instance of a Bird Feeding or Watering Violation **no courtesy notice** will be given and fines will apply at the stated rate on a daily basis without limitation until the feeding and/or watering has been ceased. In the case of Rentals, the Owners will be held accountable for all fines related to these Bird related violations.
7. Owners who have had one notice of a Rental Violation will not receive further notices and any further Notification of Violation of the Rental rules will be accompanied by a notice of fine.
8. Notification of violation of the Rules and Regulations related to waste management facilities will result in an Association Based Fine in addition to any fine issued by the Association's Waste Management Contractor.
9. The Villages of McCormick Ranch VRA (The Master Association) Rules and Regulations – Revised & Approved February 18, 2020 are attached to these Village IV Rules and Regulations as Schedule "A". The enforcement of the VRA rules and regulations are delegated to each individual Village to administer any violations occurring within each respective Village. Village IV will, in good faith, administer the VRA Rules and Regulations in accordance with Schedule "A". Violations and fines will be applied as required. Such cooperation to administer the fines to individual offenders will not be construed as an acceptance of any liability by Village IV HOA, the Village IV Board, or National Property Services for the fines or any collateral costs.

SCHEDULE "A"

THE VILLAGES RECREATIONAL ASSOCIATION

RULES AND REGULATIONS – Revised & Approved February 18, 2020

1. The following Rules and Regulations (R&Rs) have been adopted by the Board of Directors of The Villages Recreational Association, herein referred to as the VRA, to provide for the continuing pleasure, comfort and security of all owners, their guests and tenants and were established, by the Board in good faith. The R&Rs may be in whole or in part adjusted, amended and/or modified by the Board of Directors at any time.

2. These Rules & Regulations have been adopted by the Board of Directors pursuant to section 2.1 (c) and apply to all VRA pools, tennis courts and common areas.

3. POOL/SPA, TENNIS COURTS, POOLHOUSES & COMMON GROUNDS

3.1 Quiet times, in order not to disturb residents, is from 10PM to 7AM.

3.2 All persons use these facilities at their own risk. There is no lifeguard on duty. Children under the age of 14 must be accompanied by a responsible guardian when using the pool or spa.

3.3 The pool areas, tennis courts and common grounds are private property and for the exclusive use and pleasure of the Villages HOAs, homeowners, their guests and tenants and cannot be leased, rented or used for ANY business or commercial activity.

3.4 A MAXIMUM of 6 guests per condominium unit may be brought to the pool and tennis court areas. If you have more than 6 guests, you must obtain written approval of the Board of Directors by contacting management and completing an event request form at least one week in advance of your event.

3.5 Homeowners are responsible for their guests, children or tenants' actions and their adherence to these Rules and Regulations.

3.6 All people using the pool and spa must have on appropriate clothing and if the VRA incurs costs to address issues with human waste, it will be assessed back to the owner.

3.7 Persons with contagious diseases, open cuts or sores, skin infection, fungus infection or severe sunburn should not use the pools/spas. It is advisable that shoes be worn on pool decks.

3.8 The gates to the pool and spa area must remain closed and locked at all times, not left ajar and never propped open. This is a Maricopa County Ordinance and the pool is subject to closure if this is not rigidly controlled.

3.9 Pets are not allowed in the pool or tennis court areas. If an owner/guest requires their service animal in the pool or tennis court areas, they must submit an accommodation request to the management company, pursuant to the ADA, prior to doing so. ADA-allowed pets are only allowed on the deck (not in the water). They must be leashed and not allowed to soil inside the pool or tennis court areas. (Maricopa County Health Department Regulations).

3.10 Pets over 15 lbs are not allowed on VRA common areas.

3.11 Pet waste is required to be picked up immediately from all common areas and all pets are required to be on leash at all times. (Scottsdale code Sec 4-18F)

3.12 Glass of any kind (including glass bottles, plates, glassware, etc) shall not be brought into the pool and spa area. Clean up and proper rearrangement of chairs and lounges are the individual user responsibility.

- 3.13 Smoking is NOT permitted in the pool and spa areas, including vapor devices.
- 3.14 Eating in or at the pool/spa edge is not permitted.
- 3.15 There will be no running, diving, jumping, undue splashing, horse play or obscene language allowed in the pool and spa area.
- 3.16 Bobby pins, hair pins, elastic and rubber bands must be removed from the hair before entering the pool.
- 3.17 Music not used with headphones/headsets requires permission from the Board of Directors.
- 3.18 Balls, frisbees, large flotation devices, excessive yelling or loud pool games are not permitted if they interfere with the enjoyment of others at or near the pool areas.
- 3.19 Flotation devices, rafts and chairs may not be stored at the pool overnight. All personal belongings must be removed from the pool/tennis court areas after use.
- 3.20 One chair or one lounge per person. Chairs and lounges are provided for the common use of all residents. Please do not save chairs or lounges for others who are not present.
- 3.21 All Rules and Regulations pertaining to the use of the swimming pool also apply to the spa. Additional caution should be exercised when using the spa, as exposure to extreme heat may be dangerous to the elderly, very young, those with special health concerns or those who have ingested alcohol.
- 3.22 Adherence to these rules and regulations is mandatory for the continuing pleasure, comfort and security of all homeowners, their guests and tenants. Violations can result in the issuing of fines and/or the expulsion of amenity's use.
- 3.23 Damage or theft of any VRA property or common areas can result in repayment of all accrued costs, plus fines and possibly criminal prosecution.
- 3.24 All owners with tenants shall provide a copy of these Rules & Regulations to their tenants. All owners are responsible for the actions of their tenants and guests at all times.
- 3.25 Copies of these rules, regulations, instructions and/or fine schedules are available upon request to VRA management.

4. BBQ USE INSTRUCTIONS (BBQ USE IS AT THE USER'S OWN RISK)

1. Make sure that all knobs are in the off position.
2. Turn the time to the on position (360 degrees clockwise). DO NOT force the timer dial past its stopping point or it will break. This sets the gas time for 1 hour.
3. Open the BBQ lid. Turn the burner knobs to the HIGH position according to the lighting instructions.
4. Push the igniter button and hold until the BBQ lights. The igniter should not need to be pressed for more than 5 seconds. Contact VRA management if an igniter isn't functioning properly.
5. If the BBQ has not lit, turn all knobs off and start over.
6. When finished cooking, turn the burner knobs to off and brush the grill to remove any food from the grill surface. DO NOT try to turn off the timer. The time will run out on its own.

5. FINES AND PENALTIES

5.1 Any infraction of these Rules and Regulations, Bylaws or CC&R's by the owner, family member, guest, invitee, tenant, licensee or agent may result in a warning and/or fine against the applicable owner and further penalty provided herein:

6. FINE POLICY

6.1 **FIRST NOTICE:** This courtesy notice is the initial letter from the Board or its designated representative notifying the owner of an alleged violation. The letter will state the alleged violation that occurred, the date on which it allegedly occurred, the first and last name of the person who observed the alleged violation, the process the member must follow to contest the notice and state the requested remedy. The owner will have twenty-one (21) days from the date of the Violation Notice to comply. If the violation is remedied no further action will be taken. If the same violation persists twenty-one (21) days, or subsequent violations occur at a later date, a second notice will be sent to the owner.

6.2 **SECOND NOTICE:** If the same violation persists past twenty-one (21) days from the first notice, or subsequent violations occur at a later date, a fine of \$100.00 to 500.00 will be imposed upon the owner. A fine notice will be mailed to the owner via certified and first class mail. The letter will state the alleged violation that occurred, the date on which it allegedly occurred, the first and last name of the person who observed the alleged violation, the process the member must follow to contest the notice and state the requested remedy. The owner will have twenty-one (21) days from the date of the Violation Notice to comply. Refusal to accept the certified mail will not affect the fine collection process. The fine is payable immediately upon receipt of the fine notice and if left unpaid the owner's account status will remain delinquent.

6.3 **THIRD NOTICE:** If the same violation persists past twenty-one (21) days from the second notice, or subsequent violations occur at a later date, a fine of \$150.00 to \$500.00 will be imposed upon the owner. The letter will state the alleged violation that occurred, the date on which it allegedly occurred, the first and last name of the person who observed the alleged violation, the process the member must follow to contest the notice and state the requested remedy. The owner will have twenty-one (21) days from the date of the Violation Notice to comply. A fine notice will be mailed to the owner via certified and first class mail. Refusal to accept the certified mail will not affect the fine collection process. The fine is payable immediately upon receipt of the fine notice and if left unpaid the owner's account status will remain delinquent.

6.4 **CONTINUING NOTICE AFTER FOURTH NOTICE:** Any additional fines imposed following the third notice will be imposed at an amount of \$200.00-500.00 for each additional violation. The letter will state the alleged violation that occurred, the date on which it allegedly occurred, the first and last name of the person who observed the alleged violation, the process the member must follow to contest the notice and state the requested remedy. The owner will have twenty-one (21) days from the date of the Violation Notice to comply.

6.5 **FINES:** No fine shall be imposed without first providing a written warning to the homeowner describing the violation and stating that failure to comply the violation within no less than twenty-one (21) days or another recurrence of the same violation within 6 months of the original violation shall make the homeowner subject to imposition of a fine.

7. VIOLATION / FINE APPEAL PROCESS

- A. When a violation notice is sent to an owner, the appeals process is stated.
 - B. Appeals shall be received within ten (10) days of the date of the fine notification (violation letter).
 - C. Appeals shall be heard on the merits of the case.
 - D. Appeals shall include all pertinent backup information to support the appeal.
 - E. All decisions of the Board are final and may not be further appealed.
 - F. Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered DENIED.
 - G. The owner appealing the violation will be given written notice that the appeal is scheduled.
 - H. The appeal shall be heard in Executive Session or Open Session as desired by the owner.
 - I. The Board President will introduce all parties.
 - J. Unnecessarily lengthy discussions are not a part of an appeal process.
 - K. The owner who is appealing will be asked to state their case and present any documentation that is applicable.
 - L. Each Board Member will have the opportunity to ask the homeowner specific questions regarding the appeal.
 - M. Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in Closed Session or Open Session depending on the matter. Then "Written Notice" will be given to the owner of the Board's decision within seven (7) working days.
 - N. If the appeal is denied, the owner must bring the violation into compliance within ten (10) days.
- If the violation still exists after ten (10) days, the homeowner will be fined every twenty-one (21) days until the violation is corrected. In addition, the Board of Directors may withdraw amenity privileges or seek legal action to remedy the violation.