

APPENDIX A (1)

CREST OF CALAVERA HILLS HOMEOWNERS ASSOCIATION

VIOLATION OF RULES AND FINING POLICY

Approved 14 October 2014

All members of The Crest of Calavera Hills Homeowners Association are subject to all the Association's "governing documents" as defined by *Civil Code* Section 4150 including the DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS and these RULES AND REGULATIONS Pursuant to its authority and this Fining Policy, the Board may impose discipline including, but not limited to the suspension of privileges and the levy of fines against an Owner for any violation of the Association's governing documents by the Owner, his or her family, tenants, guests and invitees, as set forth below.

REPORT OF VIOLATION:

Any resident wishing to report an alleged violation of the Association's governing documents must do so in writing and transmitted to the Property Manager in care of the property management company. The written notice must include (1) the name and or address of the individual committing the violation, (2) the date of the violation, and (3) the nature of the alleged violation. The individual reporting the alleged violation must include their name and contact information so the Property Manager can obtain clarification or details of the alleged violation if needed. A VIOLATION NOTICE WILL ONLY BE SENT BY THE MANAGEMENT COMPANY AFTER RECEIPT OF A FORMAL WRITTEN COMPLAINT CONTAINING THE INFORMATION IDENTIFIED ABOVE.

VIOLATION NOTICE:

The Violation Notice will include the nature of the alleged violation with a reference to the provision of the governing documents the recipient is alleged to be in violation of, the date of the alleged violation, a demand that the alleged violation be cured and the consequences of non-compliance. The Violation Notice will be mailed to the Owner via first-class mail. A copy of the Violation Notice will also be mailed to the Owner's tenant, if any

DUE PROCESS:

If the violation has not been corrected within the period specified in the Violation Notice, a **Notice of Hearing** ("Notice") will be issued to the Owner. The Notice will afford the Owner "notice and an opportunity to be heard" either in person or by written response at a meeting of the Board held to consider imposing discipline on the Owner. **The Notice shall be sent to the Owner not less than 10 days prior to the date of the hearing.** It is the Owner's responsibility to contact the Property Manager to confirm their attendance at the Hearing. The Board's decision and the form of discipline imposed, if any, shall be mailed to the Owner within 15 days of the date of the Hearing.

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SCHEDULE OF FINES:

Having provided the Owner with a Due Process Violation Hearing, the Board may assess fines against the Owner's account as follows:

FIRST NOTICE OF VIOLATION	FRIENDLY REMINDER
SECOND NOTICE OF VIOLATION	\$ 50.00 FINE
THIRD AND SUBSEQUENT VIOLATION	\$100.00 FINE
INTENTIONAL DAMAGE TO COMMON AREAS	\$100.00 FINE - PLUS COST TO REPAIR OR REPLACE DAMAGED AREA

IF THERE IS NO COMPLIANCE WITHIN 15 DAYS FROM THE THIRD NOTICE, FINES WILL INCREASE DAILY IN \$50.00 INCREMENTS. FINES SHALL BE COLLECTED THROUGH A LAWSUIT FILED IN SMALL CLAIMS OR SUPERIOR COURT. RECURRENCE OF THE VIOLATION WITHIN SIX-MONTHS OF THE INITIAL COMPLAINT MAY RESULT IN AN IMMEDIATE NOTICE OF HEARING BEING ISSUED.

THE ASSOCIATION MAY, BUT IS NOT OBLIGATED TO ASSESS FINES FOR VIOLATIONS OF THE GOVERNING DOCUMENTS AND THE BOARD SHALL HAVE DISCRETION AS TO WHAT REMEDIES ARE EMPLOYED TO CURE A VIOLATION OF THE GOVERNING DOCUMENTS DEPENDING ON THE NATURE AND SERIOUSNESS OF THE VIOLATION.