

**THE WANIS VIEW ESTATES HOMEOWNERS ASSOCIATION  
RULES ENFORCEMENT POLICY AND FINE SCHEDULE**

Adopted March 9, 2021

**ENFORCEMENT GENERALLY**

The Wanis View Estates Homeowners Association (“Association”) has the express authority to enforce the terms of the Governing Documents and the Association’s Rules and Regulations. Exercising that authority permits the Board to take disciplinary measures for violations, which may include, but are not limited to, the levying of monetary penalties (i.e. fines) and/or the use of formal legal action to compel the violator’s compliance and to recover all legal fees and costs incurred by the Association in doing so.

**TENANT AND GUEST VIOLATIONS**

Owners are legally responsible for the actions of their guests, tenants and tenant’s guests. This means that an Owner is responsible for all liability arising from a violation by the Owner’s guests, tenants and tenant’s guests.

**REPORTING VIOLATIONS**

Any resident may report a violation of the Governing Documents, including the Association’s Rules and Regulations, by contacting the Association’s Management Company. Reports should be made in writing, and any photographs evidencing the violation should be attached. ***Note - Any activity constituting a nuisance (i.e., loud parties, loud vehicles, barking dogs or related issues) should be directed to law enforcement or animal services.*** The Board of Directors, Management Company, or committee appointed by the Board may also note any violations discovered during walkthroughs or by personal knowledge of any of its members or representatives. At the time a violation is noted or reported, action will be taken as follows:

**MONETARY PENALTIES**

Monetary Penalties (“Fines”) may be levied against an Owner, who causes, or whose guest or tenant causes damage to the Association Property, or for bringing an Owner (or his guest or tenant) or his/her Lot into compliance with the provisions of the Governing Documents. Fines will appear on the Owner’s next monthly statement and will be due and payable with that statement. Fines shall be levied pursuant to the following “Schedule of Monetary Penalties,” and the enforcement procedures contained on the following page.

**FINE SCHEDULE**

Hazardous Activities (Risk or harm to person or property)	\$1,000.00
Lease Restriction Policy Violations	\$1,000.00
ADU/JADU Policy Violations	\$1,000.00
Pet Rules	\$300.00
Noise Rules	\$300.00
Vehicle and Parking Restrictions	\$300.00
Unauthorized Improvements to Property (not including ADU/JADU)	\$300.00
Any Other Violation of the Governing Documents	\$100.00

## **ENFORCEMENT PROCEDURES**

1. A first notice to correct the violation may be sent by the Management Company. The notice will contain a description of the violation, and instructions regarding response to the notice and correction of the violation. The Board in its sole discretion may skip an initial courtesy notice and direct the Management Company to immediately proceed to Step #2 below.
2. Upon notification or observation of a second instance of the violation (or a first instance of a violation if Step #1 is bypassed), or of a continuation of the violation after the applicable time period has expired (if applicable), the Owner will receive a notice of violation and hearing where they will be afforded an opportunity to appear before the Board or an appointed committee either by appearing personally, by videoconference, or by submitting written testimony and evidence. The Notice of Hearing will be sent at least ten (10) days prior to the date of the hearing by either personal delivery or first-class mail. The Board or committee shall give fair consideration to the Owner's oral and written testimony and any other evidence presented in determining whether to impose a penalty. If the Board elects to impose a monetary penalty on an Owner, the Owner will receive a written notice within fifteen (15) days following the action by either personal delivery or first-class mail.
3. If the violation continues, or if the response is otherwise unsatisfactory, even after the imposition of a monetary penalty, the Board or its appointed committee may impose additional or continuing fines until such time as the matter is satisfactorily resolved.
4. If the violation continues, the Board may refer the matter to the Association's legal counsel. If a lawsuit is filed, the homeowner may be liable for the Association's legal costs and fees.
5. In certain instances the steps in the formal notice to correct and/or hearings may be escalated or bypassed. These conditions would be at the discretion of the Board of Directors and based on the severity and hazard of a violation.

Fines shall be in addition to an Enforcement Assessment levied to reimburse the Association for expenses, legal fees, and costs in connection with bringing an Owner (or an Owner's guest or tenant) or their Lot into compliance. Fines for continuing or repeated violations may be increased in increments of double the amount of the original fine at the discretion of the Board on a monthly basis. Four (4) or more violations assessed to a single lot/unit in any twelve (12) month period may result in an additional fine of up to \$300.00 at the discretion of the Board of Directors.