

Cedarglen Unit Owners Association
Resolution (Policy & Procedure) 2020-001
Rules Enforcement and Fine Structure
(Replaces any and all policies previously adopted by the Board prior to December 2020)

WHEREAS, the Association has a Declaration and Bylaws, and,

WHEREAS, the Declarations of the Cedarglen Unit Owners Association charge the Board of Directors with the powers and duties to ensure that residents who enjoy the privilege of living in Cedarglen Condominiums, also accept the responsibility of not infringing on their neighbors' rights of peaceful enjoyment, safety and sustained property value.

NOW, THEREFORE, BE IT RESOLVED, that violations of the Association's governing documents, including rules and resolutions, within the Cedarglen Unit Owners Association shall be dealt with as follows:

1. **Observations made by the Association:** When the Association directly observes a violation (through the Board of Directors or the Managing Agent), it will begin with paragraph 4, below. No written complaints are required to be filed.
2. **Direct resolution preferred:** Owners disturbed by a neighbor's actions or believing that a neighbor is in a compliance violation with a Cedarglen Condominium Unit Owners Association rule or regulation, are encouraged to express their concern with the neighbor prior to reporting to the Association. Most disturbances are believed to be unintentional and immediate resolution by responsible neighbors, if possible, is desirable and expected.
3. **Written Complaint:** If a resolution to the situation is not achieved through the initial direct discussion between the involved parties, or is recurrent, the Complainant may submit a signed, written complaint to the Association. This written complaint shall document the disturbance/violation created by which neighbor, on what date, time, and place. The complaint must describe the activity in enough detail that an objective person could comprehend the concern. A written complaint is considered an e-mail, fax, or letter received via regular mail. Anonymous reports will not receive a response.
4. **Association's initial Response "Friendly Reminder":** Upon notification of the 1st violation a Homeowner will receive a "Friendly Reminder" to correct the violation. This reminder will notify the Homeowners of the infraction and request correction to avoid assessment of fines and or other enforcement activity. The Owner will have 14 calendar days from the date of the letter to comply. In a situation where there is an immediate threat to health, safety, or the environment, the Association may elect to rectify the situation immediately, without notice, and charge the Owner(s) for any and all costs incurred. An immediate threat will be determined by the Board of Directors at their discretion.
5. **In situations where irreparable harm may occur from delay, no Friendly Reminder will be issued.** The first notice will be the Notice to Correct described below, or the Association may take other enforcement action to correct the violation. Unapproved architectural modifications are an example for which no Friendly Reminder will be issued.

6. **Association's secondary response "Notice to Correct":** Should the violation not be remedied within 14 calendar days of the "Friendly Reminder", the Homeowner will be notified in writing of the continued violation and requested to remedy the violation within 14 calendars days via a "Notice to Correct". The Notice to Correct shall describe the nature of the violation; the proposed fine or other sanction to be imposed; the right to request a hearing within 10 calendar days of the date of the letter; and that the proposed fine or other sanction will be imposed unless a request for hearing is received within 10 days of the date of the letter. If the Managing Agent receives a request for a hearing within the time limit, a date and location will be established, the Homeowner notified and any fines or other sanction for the violation will be held in abeyance until after the hearing.
7. **Association's third response "Fine Notice":** Should the same violation not be remedied within 14 calendar days of the date of the Notice to Correct and no request for a hearing received, a third letter will be sent ("Fine Notice") and a fine of **\$75.00 (seventy-five dollars)** will be assessed to the Owners account. Fines are collected in accordance with the collection resolution. Unpaid fines will accrue late fees and interest pursuant to the collection resolution.
8. **Continued Violation:** Should the continued violation remain for another period of 14 calendar days, an additional fine of **\$150.00 (one-hundred fifty dollars)** will be assessed to the Owner's account. At this same time, if payment of the fines is not made, a lien may be placed on the property. Additionally, all related attorney and filing fees incurred for enforcement would be charged to the Owner's account.
9. Should the initial violation continue and there has been no compliance, an additional fine of **\$250.00 (two-hundred and fifty dollars)** will be imposed every 14 calendar days thereafter until remedied.

The Owner does not have the right to a hearing for each additional fine that is assessed for continuing violations.
10. **Legal Action:** The Board of Directors reserves the right at any time to elect to hire legal counsel to pursue compliance with the governing documents. The Owner in violation is responsible for all fees and costs incurred by the Association regarding enforcement.
11. **Repeat Violators:** Violations are progressive. Each repeat violation of similar type (to be determined by the Board of Directors) by the same Owner, Tenant, Guest, Contractor, Vendor, etc. whether single or multiple locations and/or times, within a 12-month period, shall begin being fined without further notice at \$250.00 plus administrative charges every 14 days.
12. **Association correcting violation:** The Association at any time may correct the violation but is not obligated to do so. If the Association corrects the situation, the Owner is responsible for reimbursing all the costs to the Association plus a flat \$100 administrative charged for correcting any matter.
13. **Owner Responsible for Violations of other Occupants:** The Owner is responsible for all violations by his/her family members, guests, pets, tenants, vendors, licensees, and invitees. All notices and fines arising out of this resolution will be assessed to the Owner.

14. **Rental Units:** In the case of non-Owner-occupied properties, the Owner of the property will be provided the violation notices described in this resolution. If the violation is left unresolved and fines are imposed, the fines will be assessed to the Owner. It is the responsibility of the Owner of the property to notify Tenants of the Association policies and procedures and ensure compliance.
15. **Appeal:** If the Owner does not agree with the issue as stated in the notice of violation, s/he may file a written appeal, along with supporting documentation, as to why s/he is an exception to the stated rule. If the Homeowner is requesting a hearing with the Board of Directors, the written request must be received within 10 calendar days of the date of the notice of violation or fine notice. If no hearing request is received, the Board of Directors is not required to schedule a hearing with the Owner and the violation or fine will be upheld.
16. **Hearing Request:** Upon receipt of a request for hearing, the Board of Directors will notify the Owner in writing within 14 calendar days of the date, time, and location of the hearing. The hearing will be scheduled within 30 calendar days of the notice if possible, schedules permitting. The hearing is to provide the Owner an opportunity to be heard by the Board of Directors. At this time the Owner is to submit all supporting documentation, facts, etc. The Board of Directors will adjourn the hearing and provide a written decision to the Owner within 10 business days of the hearing.
17. **Association Requiring Mediation:** The Board of Directors, in its discretion, may require Owners involved in disputes to participate in mediation. If the Board directs the Owners to participate in mediation, any mediation agreement shall be reported to the Board and shall constitute a final resolution of the dispute as long as the agreement does not contradict the Association's governing documents. If no agreement is reached in the mediation, the Owners must notify the Board and request a hearing to resolve the dispute. Any costs associated with the mediation shall be borne equally by the Owners unless a different agreement is reached as part of the mediation.

Dated this December 16, 2020

Cedarglen Unit Owners Association:

By: *Austin DeSimone*
Austin DeSimone (Jan 15, 2021 12:58 PST)

Its President

ATTEST: the above resolution was properly adopted.

By: *Amber V Stone*
Amber V Stone (Jan 15, 2021 13:19 PST)

Its Secretary