

Gleneagles

Gleneagles Homeowners Association

Rule Violation and Consequence Policy

Purpose: To establish written warning and fine schedule of events should the contracted property manager determine that a household is out of compliance with the Master Declaration or Declaration of Covenants, Codes, and Restrictions of Gleneagles Homeowners Association. (These documents can be viewed and downloaded from gleneagleshoa.com.)

The following schedule of events has been adopted by the board of directors:

Single Violation with no resolution

1. **Initial Notice:** The contracted property manager will send the owner a written letter via USPS, including a copy of this policy. The letter shall clearly state the violation and reference the specific section of the by-laws that has been violated. No financial penalty assessed. The owner has 15 days to resolve the issue. If the violation involves an owner starting construction or other structural modifications that requires pre-approval by a board member of the HOA, this initial notice will be a cease and desist order.
2. **Second Notice:** After the initial 15 days, the contracted property manager will send the owner a second written letter, this time via certified mail. The letter shall clearly state the violation, reference the specific section of the codes that has been violated, and provide notification that failure to comply may result in a fine payable to the HOA. No financial penalty assessed. The owner has an additional 15 days to resolve. If this notice follows a previously issued cease and desist order, the owner will be fined \$50.00.
3. **Third Notice:** After an additional 15 days, the property manager will send a third written letter via USPS. The letter shall clearly restate the violation, reference the specific section of the codes that continues to be in violation, assess a \$50 financial penalty payable to the HOA. Also, with this notice, the letter will provide notification that if the household does not comply with this third and FINAL NOTICE, that they may be subject to additional financial penalties and that the

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matter may be referred to an attorney, resulting in additional fees being assessed, up to and including a lien being placed on the property. If this notice would have addressed an issue concerning a cease and desist order, the owner will receive a written letter from an attorney and be fined an additional \$200 plus attorney fees.

4. Fourth Offense: Written letter from attorney. Additional \$100 financial penalty plus attorney fees assessed, up to and including a lien being placed on the property, payable to the HOA.

Multiple Violations (repeat or new violations) within a 12-month period with no resolution:

1. Initial Notice: The contracted property manager will send the owner a written letter via USPS, including a copy of the policy. The letter shall clearly state the violation and reference the specific section of the codes that has been violated. No financial penalty assessed. The owner has 15 days to resolve the issue.

2. Second Notice: After the initial 15 days, the contracted property manager will send the owner a second written letter, this time via certified mail. The letter shall clearly restate the violation, reference the specific section of the codes that continues to be in violation, assess a \$50 financial penalty payable to the HOA.

3. Third Notice: After an additional 15 days, the property manager will send a third written letter via USPS. The letter shall clearly restate the violation, reference the specific section of the codes that continues to be in violation, assess a \$100 financial penalty payable to the HOA. Also, with this notice, the letter will provide notification that if the household does not comply with this third and FINAL NOTICE, that they may be subject to additional financial penalties and that the matter may be referred to an attorney, resulting in additional fees being assessed, up to and including a lien being placed on the property.

4. Fourth Notice: Written letter from attorney. Additional \$200 financial penalty and attorney fees assessed, up to and including a lien being placed on the property, payable to the HOA.

Any financial penalties assessed as a result of this policy shall be subject to the same collection and legal remedies as would any delinquent association dues.

After 12 months from the last offense, history is cleared and the policy schedule of events starts over.

Violations concerning grass height:

1. First notice: The contracted property manager routinely surveys the neighborhood to detect unsightly lot conditions. When grass height exceeds standards according to city ordinances (12 inches), she/he will report violations of those ordinances via available means, e.g., Lex Call. He/she will also send the owner a written letter via USPS, including a copy of this policy. The letter shall state the violation and reference the specific section of the codes that has been violated. No financial penalty will be assessed. The owner has 15 days to resolve the issue.
2. Second notice: The HOA will hire a lawn service. The charge for the service will be payable to the HOA within 10 days of receipt of notice. If not paid, the owner will incur an additional financial penalty of \$50 for each month not paid.