

Bryant Woods Homeowners Association

Covenants, Codes & Restrictions, Clackamas County Record #81 15752: ARTICLE III, RESTRICTIONS ON USE AND REQUIREMENTS FOR MAINTENANCE

After enforcement procedures are followed (see reverse), the Board will assess the following fines for violations. The Board, by a majority vote, may assign fines for other violations as needed on a case-by-case basis, double the amount of fines for chronic repeated violations, and/or adjust fine amounts depending on the severity of the violation.

RULES ENFORCEMENT AND FINES

Statement of Legal Authority: *Chapter 94.630(1)(n) of the Oregon Revised Statutes grants the Board of Directors of the Bryant Woods Homeowners Association the authority to adopt and enforce a schedule of reasonable fines for violations of the CC&Rs (Covenants, Codes & Restrictions). Additional enforcement powers are granted in the CC&Rs, Articles of Incorporation and Bylaws conveyed with deeds to all lots within BWHOA.*

ENFORCEMENT PROCEDURES

The Board of Directors will designate a Board member (Coordinator) to oversee rules violations. Complaint records received by the Board will be reviewed within 15 days to determine if the complaint is justified. If it is justified, a board member will contact the owner to discuss the situation informally. Most violations are resolved with a friendly conversation or email.

If the violation continues, a "Notice to the Homeowner" form will be sent to the owner of record detailing the problem and the associated fines. The "Homeowner Response" form must be returned to the Association within fifteen days. The owner can:

- State the problem has been fixed. ***Owners must notify the Board in writing and confirm compliance to dismiss the violation.***
- Ask for additional time to resolve the problem.
- Request a hearing to appeal.

If an appeal hearing is requested, an Enforcement Review Panel consisting of three members of the Association shall be selected. The Panel will include at least one Board member and one non-board member. The homeowner will be contacted within 7 days to arrange for a hearing.

After the hearing, the Coordinator will be notified of the findings of the Panel, which will be considered final if the homeowner is in agreement. If the homeowner is not in agreement, the Coordinator will present the

recommendations of the Panel to the Board of Directors at the next monthly meeting for final action. The Association shall have the right to proceed with remedies set forth in Article IV, Sections 2 and 3 of the CC&Rs.

EMERGENCY ENFORCEMENT: The procedures above will be followed under typical circumstances. The Board reserves the right, in the case of a serious nuisance or other serious violation, to take action after 48-hour notice and hire contractors to correct the violation per Article IV, Sections 2 & 3. In such instances, the homeowner shall have the right to a hearing at the next regularly scheduled Board meeting. If the violation is dismissed, any fines assessed will be rescinded.

Additional Damages The imposition of any fine shall in no way limit the Board's authority to seek injunctive relief, or to recover actual damages, if any.