

**Crescent Forest HomeOwners Association, Inc.**

**Policy and Procedure for Fining**

1. Violation Letter #1, Follow up on Violation within 30 days, and Violation #2 with follow up within 30 days, has been sent to the HomeOwner via Regular US Mail.
2. After giving notice of a violation and opportunity to cure (in excess of 60 days), the Board will vote to levy a fine either at a properly noticed Board Meeting OR via Electronic Mail. If the Board vote via Electronic Mail – then the Board will ratify and confirm the fine levy at its next regularly-scheduled, posted, noticed meeting. Fining is done at \$25.00 per day up to \$1,000.00 per violation and begins the date of the post mark on the Return Receipt – when it was signed for by the home owner.
3. Management then is authorized to send out a letter on the Board's behalf stating that a fine had been levied, and that the person has the opportunity to request/attend a hearing of the Fining Committee (which hearing must be held **no sooner than** 14 days from the date of the "fine levied" letter) Via Certified Letter with Return Receipt.
4. If No hearing is requested by the HomeOwner within 7 days of receipt of the certified Letter – then the hearing committee will meet to confirm or reject the fines that have been levied by the Board. The HomeOwner will be given no less than 14 days' notice of such hearing, and the opportunity to attend.
5. At the hearing, the Fining Committee's role is limited to "confirm[ing] or reject[ing]" the fine previously levied by the Board. The committee does not have discretion to recommend a dollar amount, or to reduce the amount of a fine previously levied by the Board. The committee does NOT have the discretion to give the owner more time to correct the violation.
6. A letter via Certified Mail is then sent to the HomeOwner confirming the outcome of the Hearing and the total fine due to the Association for the Violation. If payment is not made within 30 days it will be turned over to the Association Attorney for collection which can include the a lien being placed on the property.

\*\*\*\*\*note that if the violator cures the violation at any time, up until the moment that the Board either votes to impose a fine (step 2), or the letter imposing the fine is mailed (step 3), the fine cannot be levied

This Policy and Procedure will be mailed to each homeowner within 14 days of signatures below.

**Crescent Forest HomeOwners Association, Inc.**

On This 7 Day of April 2018

**Board of Directors;**



**Donna Lombari**



**Ken Donovan**



**Dan Tabbert**