

STAFFORDSHIRE HOMEOWNER'S ASSOCIATION

RESOLUTION PERTAINING TO FINES #5

The Staffordshire Homeowner's Association has determined it necessary to establish a Resolution instituting a schedule of fines for violation of the Policies and Guidelines, the Covenants, Conditions and Restrictions (CCRs), and the Bylaws. Over time, Residents' care of their properties has fallen below standards in some instances, which makes the park less attractive place to live. The Board wants to do what is best for all of us who live here to protect the beauty of our surroundings. All residents are required to comply with the Association's rules.

The Association's Board of Directors has the power to enforce the Association's rules, exercising its reasonable business judgment. The Board may levy fines for violations after notice and an opportunity for a hearing. (ORS 94.630)

FILING A COMPLAINT

Any resident may file a complaint with the Architectural Control Committee (ACC) on its form listing the problem(s) and naming the relevant CCRs, Bylaws or Policies and Guidelines. The ACC may request a verbal conversation with the resident. If the ACC reviews the complaint and finds no violations, it will take no further action. If the ACC believes there is a violation, it will provide the Board with a written description of the problem(s) and actions the resident needs to take, and listing the relevant CCRs, Bylaws and Policies.

The ACC may also initiate complaints to the Board, based on their own observations.

PROCESS

Notice

Upon making a preliminary determination of a violation of the Policies and Guidelines, CCRs or Bylaws, the ACC will send a Written Notice to the Resident by first class mail. The notice will describe the alleged violation, notify the owner that the board may levy a fine, and notify the owner that he or she may request a hearing before the board, that the owner has 10 days to request a hearing, and how to request a hearing. The notice may contain any remedy required to correct the violation, and a time frame for completing that remedy. The homeowner must submit a written request for a hearing to the Board before the ten (10) day deadline expires or the ACC's preliminary determination will become final.

Hearing

If timely requested, a hearing will be held in an open meeting of the Board. At the hearing, the Board will listen to the evidence and arguments, including the testimony of expert witnesses. The Resident may produce statements, evidence, or witnesses

in support of their position. The Resident's evidence shall not take more than 20 minutes. The Board may also hear from any complaining owner about the alleged violation.

At the conclusion of the evidence, the Board will vote on a course of action. The Board may vote to levy fines, dismiss the case, or take the evidence under advisement. If the Board takes the evidence under advisement, it will make a decision at a future open meeting.

If the homeowner fails to attend the hearing, the Board will vote on a course of action without a hearing.

The board may levy the entire fine associated with a period of time (e.g., a weekly or daily fine) regardless of whether the violation continues for the entire period of time at issue.

Payment of Fines

Any costs incurred by the Association to enforce the CCRs, Bylaws and Policies, including interest and costs of collection, are the Homeowner's responsibility.

Homeowners and Residents are responsible for damage caused to the common areas by themselves, their guests, renters, or pets. Residents are responsible for informing their guests or renters of the rules and regulations of Staffordshire. The Homeowner is responsible for corrective actions and for any fines assessed due to the above actions.

Non-waiver

If other owners have non-allowed conditions on their property, it does not become a precedent for future modification or enforcement.

SCHEDULE OF FINES

Parking Violations (Policies and Guidelines, Sections 4 and 11; CCR Article VI, Paragraph 8):

\$50 per day

Garbage and Trash Violations (Policies and Guidelines, Section 7. CCR Article VI, Paragraphs 5 and 9.):

\$50 per day or occurrence

Greenway Usage Violations (Policies and Guidelines, Section 9):

\$50 per day or occurrence

Common Areas Violations (Policies and Guidelines, Section 2):
\$50 per occurrence

Unapproved Modification to House or Lot (Policies and Guidelines, Section 10; Bylaws Article VII page 14. CCR Article IV, Paragraphs 3, 5, 6, 7, 8, 9, 10, 11, 13. CCR Article V, Paragraph 3. CCR Article VI, Paragraphs 9 and 11.):
\$100 per day

Landscape Maintenance Violation (Policies and Guidelines Section 10. CCRs Article VII. CCRs Article VIII):
\$100 per day

Pet Violations (Policies and Guidelines Section 12. CCR Article VI, Paragraph 4.):
\$50 per day or occurrence

RV Storage Lot Maintenance Violation (Policies and Guidelines Section 15):
\$50 per day

Unapproved Signs in Yard (Policies and Guidelines Section 16):
\$50 per day

Annoyance or nuisance (CCR Article VI, Paragraph 7):
\$250 per occurrence

Board actions to correct violations on residents' lots (CCR, Article IX, Paragraphs 1 and 2):
\$100 plus costs incurred

Other continuing violations of the Association's CCRs, Bylaws or Rules and Regulations:
\$50 per day

Other occurrence-based violations of Association's CCRs, Bylaws or Rules and Regulations:
\$50 per day