

Sunset Point Townhomes

HOA Violation Process & Procedures

In accordance with the Sunset Point Townhomes Homeowners Association's governing documents, these policies and procedures shall define the standard operating procedures for the Sunset Point Townhomes Homeowners Association and their agents with respect to processing violations under the rules of the community.

Violation letters are sent out on behalf of the Board in accordance with the below approved violation policy.

Reporting a violation:

Violations can be reported in various ways.

A. Perceived violations can be reported directly to the property management company. The property management company will register the violation for review and send a letter if deemed a viable violation. Photos of the violation must be included as well as the address of the property in violation.

B. Property Management company will conduct a regularly scheduled inspection of the neighborhood to determine if there are any violations and to validate outstanding violations.

Violation Action:

Upon confirmation of a violation, the Board may attempt to communicate directly with the homeowner by visiting their property to discuss the violation and attempt to obtain member commitment and timeframe to address the issue. If member is unavailable after two attempts or owner does not reside at the property, the escalation process will commence with a letter from the management company. Please note that this is not a mandatory procedure and is only an additional courtesy that may be used at times when time permits.

1st Letter: The first letter is to notify the resident of a violation in which they may not be aware of. This letter will give the member a 30 day period to address the violation and report to the management company that the violation has been remedied, or in such extreme cases where more time is needed and justified, to let the management company know when the violation will be cured within a reasonable and realistic timeframe.

2nd Letter: Should no response be obtained from the member after the first deadline has passed, the violation will be escalated and a second notice will be mailed to the owner. This letter will be given a shorter deadline of 15 days to correct the problem and contact the association or after which, legal action may commence.

Please Note - Any member receiving a violation, which cannot make the necessary repairs or corrections within the allotted time frame or in which contests the violation, is required to contact the property management company or the board of directors to set expectations for when the violation can be addressed.

3rd Letter: If both letter 1 and 2 are ignored, the violations are not cured to meet the minimum standards outlined in the governing documents, and/or no communication is made to the management company, a hearing may be called. This letter will be sent both certified and standard mail at the cost of the association.

The hearing is before the Board at a date and time set by the Board or hearing panel, so the homeowner has a chance to express his/her viewpoint on the violation. If an owner is called to a hearing and can not attend, it is advised that the owner communicate with the management company and provide any needed documentation that can be presented on behalf of the owner stating why they could not attend and the reasoning behind the ongoing violation/why the violation had still not been cured at the time the hearing was called.

After the hearing, a hearing decision letter, also called the hearing determination letter, will be sent out stating the decision of the Board and/or hearing panel. Typically this includes a time period during which any uncorrected violations must be corrected. At this point, an initial violation fine can be imposed. If the violations are not corrected after this point, they are subject to on-going fines imposed by the hearing panel.

A homeowner who is incurring fines has those fines charged to their association assessment account, and is eligible for a possible lien to be placed on their

home, and possible foreclosure should the violation fail to be corrected or fines be left to collections.

Letter Type	Action	Period to Fix / Fines Schedule	Next Action
Violation Letter 1	Initial noticed to make the homeowner aware of a violation that they may or may not be aware of.	30 days to cure the violation and report to management company.	Violation Letter 2
Violation Letter 2	A reminder to cure the violation before a hearing is called and possible fines are assessed.	15 days to cure the violation and report to management company.	Hearing Notice
Hearing Notice	Owner is called to attend a hearing before the Board or Hearing Panel.	Owner may be imposed an initial fine of \$100 as well as be fined \$50 daily starting 10 days after the date of hearing until the violation has been cured and the management company has been made aware.	Hearing Determination
Hearing Determination	Notice sent to the owner outlining the decision of the hearing and what, if any, fines will be imposed.	If not cured, the owner should be correct as soon as possible to avoid continuing fines.	Potential Legal Actions such as Lien and Foreclosure

Code of Conduct

Interaction with members will be necessary in the investigation of violations. The following rules will be observed by all association members communicating with homeowners.

- A. All homeowners will be addressed in a respectful and courteous manner
- B. The association will seek only to discuss the issue and obtain commitments from homeowner to address the issue.
- C. No penalties, deadlines or time frames will be discussed or mentioned other than by formal letter from the management company.
- D. If homeowner has a problem with the violation, they must be referred to the Board of Directors to submit their grievance in writing
- E. Association will at all opportunities provide the homeowner with helpful tips, techniques or alternatives to addressing their issues.
- F. Association members at all times will be sympathetic to homeowner and relinquish judgement or decision to the Board of Directors.