

EXTERIOR PROPERTY STRUCTURE AND FENCING MAINTENANCE ENFORCEMENT FINES & INJUNCTIVE RELIEF

The Board of Directors of Spring Meadow Homeowners Association hereby add the following Exterior Property Structure and Fencing Maintenance Enforcement Resolution to the Architectural Control Committee to implement procedures to ensure that all homeowners maintain appropriate standards of the Association community for any building or structure.

EXTERIOR PROPERTY STRUCTURE (excludes Fencing) NOTICE PROCEDURE

- I. **Notice of Violation.** If the Board determines that there is a violation of the Declaration, Bylaws, Rules and Regulations or other Governing Documents, the Board shall give the Alleged Offending Owner the following Notices of Violation:
 - a. **FIRST NOTICE AND RIGHT TO HEARING**

The HOA Board or representative shall send an initial written notice by USPS letter with proof of delivery to the alleged offending owner's last known address on file with records of the Association. The letter shall state alleged violations on their property and include photographs of compliance issues.

 - a. The first notice shall inform the owner that they have **nine months from the date of notice** to satisfy non-compliance issues **OR request a hearing with the Board within 90 days from the initial date of notice** to request an extension to remedy, request clarification, or seek additional information.
 - b. **SECOND WRITTEN NOTICE**
 - a. A second notice will be sent 30 days after first notice to the homeowner if the Board has not received a request for a hearing
 - c. **THIRD WRITTEN NOTICE**
 - i. A third notice will be sent 60 days after the first notice to the homeowner if the Board has not received a request for a hearing -

FINE AND/OR INJUNCTIVE RELIEF (EXCLUDES FENCING-see Exhibit A: Schedule of Fines and Fee Schedule)

- II. **FINES**
 - a. If the required fencing improvements are not completed within nine months from the date of the original notice, or by the timeline approved by the Board and homeowner, the property owner will incur a monthly fine of \$ 100 for each month that the issues remain unresolved.
 - b. **If the homeowner negotiates a reasonable timeline with the Board for repairs, fines will not be assessed during the timeline.**

FENCING NOTICE PROCEDURE

- I. **Notice of Violation.** If the Board determines that there is a violation of the Declaration, Bylaws, Rules and Regulations or other Governing Documents, the Board shall give the Alleged Offending Owner the following Notices of Violation:
- a. **FIRST NOTICE AND RIGHT TO HEARING**
The HOA Board or representative shall send an initial written notice by USPS letter with proof of delivery to the alleged offending owner's last known address on file with records of the Association. The letter shall state alleged violations on their property and include photographs of compliance issues.
 - i. The first notice shall inform the owner that they have **nine months from the date of notice** to satisfy non-compliance issues OR **request a hearing with the Board within 90 days from the initial date of notice** to request an extension to remedy, request clarification, or seek additional information.
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FINE AND/OR INJUNCTIVE RELIEF

Exhibit A: Schedule of Fines and Fee Schedule)

- II. **FINES**
- a. If the required fencing improvements are not completed within nine months from the date of the original notice, or by the timeline approved by the Board and homeowner, the property owner will incur a monthly fine of \$ 50 for each month that the issues remain unresolved. (see Exhibit A Schedule of Fines and Fee Schedule)
 - b. **If the homeowner negotiates a reasonable timeline with the Board for repairs, fines will not be assessed during the timeline.**

In addition to the fines levied monthly, the Board may, in its discretion, seek injunctive or any other available equitable relief, in the Linn County Circuit Court to require the offending property owner to rectify the violation.