

HARBOR RIDGE ESTATES HOA COMPLIANCE RESOLUTION

Effective June 1st, 2023

This Policy is a guideline for the Board and the Owners, describing the typical way the Association Management Company and the Board help maintain compliance with the Covenants and Restrictions of the Community. The Board retains discretion to determine when and the extent to which the Association will spend money, enforcement against any violation, issue notices, impose fines and/or conduct hearings to seek compliance.

WHEREAS it is the intent of the Board to:

- Maintain the appearance and value of all properties
- Maintain cohesive community relationships in a manner that is fair and equitable for all residents and property Owners
- Achieve compliance of rules, policies and procedures, and

WHEREAS, **Article V** of the governing documents for **Harbor Ridge Estates HOA** gives the Association/Board the power to adopt and publish rules and regulations and establish penalties for any infraction thereof, now

THEREFORE BE IT RESOLVED that the following procedures will be used to address violations of the governing documents and all established rules of the Association:

VOLUNTARY COMPLIANCE: High community standards are best preserved when all residents voluntarily follow the rules in consideration of others, as good neighbors. Rarely will any enforcement action be taken as a result.

BOARD AUTHORITY: Occasionally Owners or Residents fail to comply. In those instances, the Board acts to restore compliance through a process that is equitable and efficient. The Board's role is to ensure compliance while helping Owners be good neighbors, preventing complaints from other residents, avoiding enforcement action and fines.

The Covenants give the Board broad authority and a variety of tools to use in preserving and advancing the community-wide standards through enforcement of the governing documents. The Board is authorized to create rules, regulations, procedures and penalties, and will use its discretion to determine the manner in which enforcement is achieved.

ENFORCEMENT ACTIONS (multiple actions may be used):

- Impose a fine according to Fine Schedule
- Take action to cure the violation and charging the Owner for the cost of the work
- Charge the Owner for all legal fees incurred by the Association
- Prevent a Contractor, agent or others from continuing work not Approved
- Require an Owner to pay for the costs of removing a problem and for the restoration of the property
- Impose a specific assessment or charge to cover the costs of repair
- File a lien against the property
- Any other reasonable and lawful methods as deemed appropriate

PENALTIES:

- **First Notice of Violation** **Courtesy Letter Only**
- **Second Notice of Violation** **\$50.00 Fine**
- **Third Notice of Violation** **\$150.00 fine every ten (10) days and/or any legal fees incurred in seeking compliance until issue is corrected.**

- **Violation of ACC guidelines** **\$250.00 fine for ACC changes that are done without prior approval. \$150.00 fine every ten (10) days until a completed ACC Request Form is submitted or the project is restored to original condition.**

PROCEDURE:

1. **First Notice of Violation:** A courtesy letter will be sent to the Owner citing the rule or restriction that was allegedly violated, a description of the violation and requirement to take corrective action within ten (10) days to resolve the issue. If corrective action is not taken on or before the 10th day from receipt, a second notice will be sent.
2. **Second Notice of Violation:** If corrective action is not taken after ten (10) days of receipt of First Notice of Violation, a \$50.00 fine will be assessed to the Owner's account along with Second Notice of Violation requiring resolution of the issue(s) within ten (10) days of receipt of the letter. If there is a reoccurrence of the same violation within a one year time frame, a \$50.00 fine will be assessed to the Owner's account.
3. **Third/Final Notice of Violation & Additional Actions, if Necessary:** If corrective action is not taken after ten (10) days of receipt of Second Notice of Violation, a Final Notice of Violation will be issued and a \$150.00 fine will be assessed to the Owner's account. A fine of \$150.00 will continue to be assessed every ten (10) days until the violation is cured. If it becomes necessary to seek legal counsel to remedy the on-going violation, all legal fees associated with the violation will be the responsibility of the Owner who is in violation. If recurrence of the same violation happens within a one year time frame, a \$150.00 fine will be assessed every ten (10) days until the violation is cured.
4. **In Accordance with Article V of the Declaration, all exterior additions, structural alterations or exterior modifications must have written approval of ACC Committee/Board BEFORE the work is started. An immediate fine of \$250.00 will be assessed to any Owner who does not adhere to ACC Guidelines or fails to get ACC approval before the start of the project. Additional fines will be assessed weekly until a completed ACC Request Form is submitted or the project is restored to its original condition.**
5. **All fines assessed to an Owner's account are subject to the same collection policy as regular assessments in accordance with the Declaration for Harbor Ridge Estates HOA.**
6. **Reporting of violations from Owners must be done in writing for Board review and verification.**

COMPLAINTS: Not all complaints are violations the Association can or will enforce. Owners and Residents should first make any and all efforts to resolve issues with their neighbors directly before bringing a complaint to the Association.

If an issue cannot be resolved directly, the Association will accept written complaints (via e-mail, fax or mail) that bring possible violations to the Board's attention.

The complaint must:

- Identify the offending property address and/or Owner's name
- Specifically describe the violation and the date(s) of the violation (Photos of conditions are recommended, if appropriate).
- Describe measures taken to try to reasonably resolve the issue directly.

Complaints will be kept confidential when possible. The Board will review the complaint and determine if enforcement actions are appropriate.

HOMEOWNER'S RIGHT FOR HEARING:

1. All Owners have the right to request a hearing. A written Hearing request must be submitted to the Board via e-mail, fax or mail within ten (10) days from the postmarked date on the applicable notice or the right to a hearing will be waived.
2. The hearing request must be directed to the community manager whose name, address and phone number will be listed on all violation notices.
3. The purpose of the hearing is to provide the property Owner the opportunity to establish why the rule has not been violated or why the rule of procedure does not apply.
4. After hearing the property Owner's position, the Board, or a committee appointed by the Board, shall make a determination whether the alleged violation still applies. The Board or committee shall notify the Owner in writing upon rendering their decision. No additional fines will apply until their decision is rendered.

REQUESTS TO WAIVE FINES: The Board will consider written requests to waive a fine(s) if the non-compliant issue has been resolved. It is the Owner's responsibility to provide the Association with current mailing and contact information. Failure to do so may result in limited consideration of waivers.

This resolution was adopted by the Board of Directors on the 17th day of April, 2023 and shall be effective on June 1st, 2023 until amended or replaced, at which time the amended or replacement resolution shall become superior.

Harbor Ridge Estates HOA

A Washington nonprofit corporation

David Brown (signature on file)

President

ATTEST:

Jen Sullivan (signature on file)

Secretary