



# Alesbury Home Owners Association



## Policy Resolution # 2002-02

### Schedule of Fines

WHEREAS Article V of the Bylaws grant the Board of Directors with the power to conduct Association business and, to protect community harmony by providing guidelines and a procedure to address conditions that disrupt that harmony,

LET IT BE RESOLVED THAT the following Schedule of Fines will be followed:

1. The Board of Directors (BOD) is authorized to enforce timely assessment payments from owners, compliance with Rules and Regulations and other policies enacted in accordance with the governing documents by assessing monetary penalties against owners, their guests, family and renters who are violation.

#### 2. Fines for specific violations

- **Architectural Changes performed without Prior ARC Approval:**

One-time fine of \$25.00 - \$250.00, based on severity. The ARC may also request that modifications constructed without approval be removed as per Covenants & Restrictions Article V, Section 5.2.

- **Architectural: (Structural & Landscaping Cosmetic or Maintenance Violations)**

**FINE: \$50, plus \$1 per day per violation**

**ASSESSED:** Beginning on the 61st day after the date of the *first* BOD written warning notice, and continuing daily until the violation is rectified, and is re-inspected and approved by the ARC.

**SUSPENSION:** Daily Fines will be suspended when:

- a) The BOD receives a written Appeal from the Homeowner (See item 3 below)  
OR
- b) The ARC receives a written request to re-inspect the violation(s) after corrective action has been taken

**RESUMPTION:** Daily Fines will resume when:

- a) The BOD decides *against* the Homeowner in an Appeal (See item 3 below) OR
- b) A violation fails an ARC re-inspection

**TERMINATION:** Daily Fines will permanently stop when:

- a) The BOD decides *for* the Homeowner in an Appeal (See item 3 below) OR
- b) The ARC re-inspects the violation and issues a written approval to the Homeowner

- **Excessive Noise:**

**FINE: \$10 per occurrence**

**ASSESSED:** For each repeat violation occurring after one written warning from BOD

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**RESUMPTION:** N/A for 'per occurrence' violations

- **Parking:**

**FINE: \$5 per occurrence**

**ASSESSED:** For each repeat violation occurring after one written warning from BOD

**SUSPENSION:** N/A for 'per occurrence' violations. Homeowner may Appeal (See item 3 below)

**RESUMPTION:** N/A for 'per occurrence' violations

- **Trash, Recyclables or Yard Waste Curbside Prior to 5pm on Eve of Scheduled Pick-up Day:**

**FINE: \$5 per occurrence**

**ASSESSED:** For each repeat violation occurring after one written warning from BOD

**SUSPENSION:** N/A for 'per occurrence' violations. Homeowner may Appeal (See item 3 below)

**RESUMPTION:** N/A for 'per occurrence' violations

- **Pets:**

**FINE: \$25 per occurrence**

**ASSESSED:** For each repeat violation occurring after one written warning from BOD

**SUSPENSION:** N/A for 'per occurrence' violations. Homeowner may Appeal (See item 3 below)

**RESUMPTION:** N/A for 'per occurrence' violations

- **Occupancy & Leasing:**

**FINE: \$250 per occurrence, no written warning will be issued**

**ASSESSED:** For each repeat violation occurring after one written warning from BOD

**SUSPENSION:** N/A for 'per occurrence' violations. Homeowner may Appeal (See item 3 below)

**RESUMPTION:** N/A for 'per occurrence' violations

### 3. Billing and Payment of Fines

- All Fines will be billed monthly and are due and payable within 7 days of invoice date.
- Interest Charges: See Collection Policy # R2002-01

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- Collection Policy: See Collection Policy # R2002-01
- Late Payments: See Collection Policy # R2002-01
- NSF Checks: See Collection Policy # R2002-01

#### 4. Appeal Process for Fines

Any Owner receiving a fine, who believes no violation has occurred, may submit a written explanation to the Board of Directors.

Upon the BOD's receipt of a written Appeal from the Homeowner, the BOD will suspend the assessment of additional 'daily fines' for the Architectural violation in Appeal.

Fines classified as 'per occurrence' fines are *not* subject to suspension and repeat violations will result in additional fines if a like violation is under appeal.

All unpaid 'daily' and 'per occurrence' fines that have been assessed prior to the date of the Homeowners written appeal, remain the responsibility of the Homeowner and will continue to accrue interest and late fees unless paid in full.

The BOD will review the Appeal and will make a determination regarding the violation in question. The BOD will notify the Homeowner of their decision within 15 days of receipt of the Appeal.

Should the BOD determine that there is no violation (*for* the Homeowner), written notification will be provided to the Homeowner, and all fines and fees previously paid for this violation will be refunded to the Homeowner.

Should the BOD determine that there is a violation (*against* the Homeowner), written notification will be provided to the Homeowner and the assessment of fines will resume as of the date of this notification. The fines will continue to be assessed until the violation is remedied.

Recorded in the Book of Minutes: July 10, 2002

Signed: \_\_\_\_\_, 200\_\_

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President - Board of Directors  
Alesbury Homeowners Association