

## **River Marina Estates Practice and Procedures for Violations and Fines**

*River Marina Estates Homeowners Association, Inc. (the "Association") wishes to maintain the standards of the River Marina Estates community. The following practice and procedures are adopted to assist it with the enforcement of the restrictions and rules in the Association's governing documents.*

1. The Association will send the initial violation letter by mail. The letter will be sent to the violators at their address of record. This letter will identify the violation and require that it be corrected within 30 days of the date of the letter. The 30 day timeframe for compliance is a recommended timeframe. There may be occasions when the timeframe must be decreased or increased due to the nature of the violation or due to an emergency. The Association reserves the right to decrease or increase the timeframe.
2. If the violation is not cured within the allotted timeframe, the Association will send a second violation letter to the violators by mail. The letter will be sent to the violators at their address of record. The letter will identify the violation and inform the violators that they must correct the violation within 15 days or fines will be levied. The 15-day timeframe for compliance is a recommended timeframe. There may be occasions when the timeframe must be decreased or increased due to the nature of the violation or due to an emergency. The Association reserves the right to decrease or increase the timeframe. In addition, the Association reserves the right to send only 1 violation letter, rather than 2.
3. If the violation is not corrected after sending the second violation letter, the Board of Directors may approve a fine for the violation. The fine should be approved at a duly noticed meeting of the board. The fine can be up to \$100 per day for each day the violation occurs, not to exceed \$1,000.00 in the aggregate for the violation.
4. If a fine is approved by the Board of Directors, the Association will send a letter to the violators notifying them that a fine has been approved. The letter will state that the violators have the right to challenge the fine by requesting a hearing in front of the Hearing/Fines Committee. The letter will provide instructions on how to request a hearing.
5. If a hearing is not requested, the fine shall be imposed. A letter will be sent to the violator notifying him or her of the fine and requesting payment within 30 days.

6. If a hearing is requested, the Association should schedule a hearing and notify the violators of the date, time, and location of the hearing. The violators should be given at least 14 days' notice of the hearing. Notice should be provided by mail and/or hand delivery.
7. At the hearing, the Hearing/Fines Committee must determine whether the proposed fine should be imposed. The violators and a representative(s) of the Association may appear at the hearing to present evidence regarding the violation and fine. Witnesses should be allowed to attend as well.
8. Once a decision has been made by the Hearing/Fines Committee, the Committee will notify the Board of Directors, in writing, of its decision. The Board of Directors will then send a letter by mail and/or hand delivery to the violators notifying them of the decision. If the Hearing/Fines Committee approves the fine, the letter will request payment within 30 days.
9. If the fine is not paid within the allotted timeframe, the matter may be turned over to legal counsel for enforcement.
10. If notice of a violation has been provided in the past, the Association, at its sole discretion, may elect not to send violation notices for a repeat violation.
11. This document is only a guideline for the Association to assist it with the enforcement of the restrictions and rules in the governing documents. It does not limit the Association's legal remedies, and the Association reserves the right to proceed with any and all other legal remedies available to it in the event of a violation.