

## **Silver Firs II HOA**

### **Policy # 59 Notification Process for Rules Violations**

**Adopted November 28, 2005. Effective January 15, 2006**

This policy replaces policies 22, 41, 42, 43, 46, 48 and 50.

Purpose of policy: To create a more efficient and less costly system for processing rule violations.

Authority: Washington State RCW 64.38.020 (1) grants the Association power to “adopt and amend bylaws, rules and regulations”.

The first violation notice may be in the form of a letter mailed via first class mail, certified mail, or sticker/decal notification placed on the door of the homeowner whose lot is not in compliance with the rules, or directly on the item that is out of compliance. The first violation notice shall include the specific rule that has been violated, a reasonable time frame in which to comply, and a method in which the homeowner may contact the Property Manager, Rules Committee or Board of Directors in order to discuss the violation.

If the reasonable time frame allowed passes, and the violation has not been remedied, a second notice will be sent by first class and certified mail. This notice shall include a time and date for a hearing in which the homeowner may provide testimony, and information regarding the fine, such as how much the fine will be per day and when fining may begin.

Each case shall be judged on its individual merits, and any previous enforcement of the same or similar violations shall not be binding upon the Board in its decision. Any prior Board decision shall not be considered a new rule unless it is agreed to in the normal process of motion, vote, documentation and notice sent to the owners.

Following the hearing the homeowner in violation will be notified by mail of the Rules Committee or Board’s decision regarding fining and other enforcement actions that will be taken to bring the lot into compliance. In keeping with the CC&Rs (Covenants Conditions & Restrictions), Article VIII.1, the board or its agents may enter upon the lot to bring the lot into compliance, and pursuant to Article X.1, may take legal action against the homeowner.

One exception to this notification process would be an ACC violation. If a homeowner is in the process of completing a project that did not receive ACC approval, or if a homeowner has completed a project that did not receive ACC approval, one letter explaining the ACC’s next step, the date and time of the hearing, and the possible fees and fines that may be assessed will be sent to the owner by first class mail and certified mail.

Another exception would be a documented reoccurring violation. The homeowner will receive one letter, sent by first class and certified mail, that provides the date and time of a hearing, and the fining information.