

Retreat at Firewheel Homeowners Association

Resolution Regarding Covenants and Bylaws Enforcement

Whereas, The Board of Directors of the Retreat at Firewheel Estates is empowered to manage the affairs of the Association.

Whereas, there is a need to adopt a specific policy on Covenants and Bylaws Enforcement.

Whereas, it is the intent that these rules shall be applicable to all members of the Association and this Resolution shall remain in effect until otherwise rescinded, modified or amended by a majority of the Board of Directors.

Now, therefore, be it resolved, that the following rules on Covenants and Bylaws Enforcement will be adopted by the Board of Directors in accordance with **Article VI – Section 3. Owners Rights with Respect To board Established Rules and Policies** of The Covenants.

Filing of Violation

1. Any homeowner may report a violation directly to the management company, either via email or telephone. The report should indicate
 - a. The nature of the violation – which specific rule is being violated.
 - b. The street name and number at which the violation is taking place.
 - c. The name and telephone number of the person making the report.
2. The management company will conduct a survey of the neighborhood once a month and report any violations to the Board indicating
 - a. The nature of the violation – which specific rule is being violated.
 - b. The street name and number where the violation is taking place.

Enforcement Action

1. The management company acting on behalf of the Board will send a courtesy letter to the resident notifying said resident of the violation and the corrective action which needs to take place within a specified time—in most cases one week.
2. If the violation has not been corrected within the stated period, a violation letter will be sent by certified mail which will include
 - a. The specific nature of the violation including a statement of the rules being violated.
 - b. Advising of an opportunity for a hearing before the Board per Article VIII, Section 4 of the Bylaws.

- c. Notification of a fine of not less than \$75.00 for the first offense if the violation is not corrected by a certain date.
3. If the violation has not been corrected by the date specified and the homeowner has not requested a hearing as described in Article VIII, Sections 3 and 4 of the Bylaws then a fine of not less than \$75.00 for the first offense will be assessed. Fines not paid within 10 days will be assessed interest at the rate of 18% per year from the due date until paid. The homeowner will be notified of the assessment and future actions if violation is not corrected and fine is not paid.
4. If at any point during the process the violation is corrected the Board may elect to forgive all or part of the fines accrued to date if requested to do so by the resident and presented with suitable justification.
5. The Board will keep on file a Violation Report record detailing the correspondence and disposition of the reported violation.