

## **Parker Lofts HOA FINE POLICY**

Board of Directors (or Management acting on instruction by the Board of Directors) may impose fines against Unit/Lot Co-Owner (s) for any infraction of the Declaration, By-Laws, or these Rules, Regulations, Resolutions, and Fine Policies. This policy will become effective December 26, 2011. The fine structure is set forth in Exhibit "A" and Exhibit "A1" attached hereto and incorporated by reference.

If an Owner receives warning or fine, the Owner will have the right to request a meeting with the Board, in writing, within thirty days of service of the warning or fine on the Owner. In addition, after the first warning, if the matter is not cured or reoccurs, the Board may refer the matter to the Association's attorney without further warning. In the event of fineable act or omission, which threatens the health, safety or welfare of other residents or guests, the matter may be turned over to the Association's attorney without sending a warning. If the matter is referred to the Association's attorney, the Owner will be responsible for payment of all legal fees incurred.

If the same offense reoccurs or continues after either the third notice of offense has been served to Owner or after the third fine has been imposed against owner, whichever occurs first, the Association will continue to assess a **\$100.00** fine (or the minimum daily fine, whichever is greater) every day the violation exists, or each time it re-occurs until abated, and the Board may refer the matter to the Association's attorney. All fees, including all attorney's fees incurred by the Association in enforcing the governing documents and these Rules, Regulations and Policies, will be charged to the Owner of the property at which the violation occurred, and will be added to the Owner's account balance.

The Fine Policy conditions are as follows:

1. No one will be fined without the Association first sending a ten (10) day warning notice to the Owner (if known). This DOES NOT APPLY TO VANDALISM, GRAFFITI, FIREWORKS, GATE DAMAGE, COMMON AREA DAMAGE, NOISE, LEASING ISSUES, UNAUTHORIZED USAGE AND ITEMS NECESSITATING IMMEDIATE INTERVENTION, WHICH MAY BE SUBJECT TO IMMEDIATE FINES OR REFERRAL TO LEGAL COUNSEL. Fines may be assessed for the above referenced violations without sending a ten day warning notice.
2. To dispute a fine, the Owner must request in writing a meeting with the Board postmarked no later than (30) days from the date of the letter

imposing the fine, setting forth the specific nature of the Owner's dispute.

3. Notification will be sent to the writer of the letter informing him or her of the date of the Board meeting when the dispute will be discussed.
4. The Owner filing the dispute will be placed on the Board Meeting agenda and the Owner will be allowed a reasonable period of time to present his or her reasons why the fine should not be imposed or should be abated.
5. The Board 's decision after the hearing is final and any affirmed or non-appealed fine will be due and payable on the first of the next month after notification.
6. If any violation reoccurs within twelve months after the first occurrence of the same or similar violation, no ten **(10)** day warning notice will be given, and the appropriate fine will be immediately imposed.
7. Any Owner who has more than two **(2)** violations within a **sixty-day period**, which are a result of the Owner's tenants, will be required to provide written proof of notices and action taken against any tenant(s) committing violations against the Association. The Association may request a meeting with the Owner, or take legal action to enforce the Declarations, By-Laws, or these Rules, Regulations and Policies.

Adopted by unanimous vote of the Board of Directors for Parker Lofts