

# Pebble Creek Owners Association

## Fining Policy

As of April 1, 2011 the Board of Directors of the Pebble Creek Owners Association (PCOA) implemented the following Fining Policy for the enforcement of the PCOA's Governing Documents (to include the Supplementary Declaration of Easements, Restrictions, and Covenants of the Pebble Creek Development and By-Laws):

1. **Violation Notice (Warning):** Homeowners will be notified when a violation occurs and will be given a time period of fifteen (15) days in which to correct the violation. Violations which present hazards for residents or are damaging property will require immediate correction and any costs borne by PCOA for same will be assessed to the owner's account.
2. **Violation Notice (2<sup>nd</sup> Warning):** Homeowners will be notified a second time if the previously sited violation has not been corrected and will be given a time period of fifteen (15) days in which to correct the violation or the 1<sup>st</sup> fine will be assessed.
3. **Violation Notice (Repeated Violation 2<sup>nd</sup> Warning):** If a homeowner has a reoccurring violation within a ninety (90) day time period, they will be given a time period of fifteen (15) days in which to correct the violation or the 1<sup>st</sup> fine will be assessed.
4. **Assessment of Fine (Hearing Notice):** If the violation continues after the specific time period given, the homeowner will be notified that a fine will be levied against his/her account.
5. **"Reimbursement Assessment":** Violations that result in property damage or cause the Association to incur cleanup costs will result in a "Reimbursement Assessment" on the homeowner's account. Non-payment of this type of assessment will result in a lien being placed on the property.
6. **"Appeal Process":** If a homeowner so chooses, an appeal can be made via written request to the board within 30 calendar days of receiving the first violation notice. Within 10 calendar days of receiving the homeowner's request, the board will give the homeowner notice of the date, time, and place of the hearing. This hearing will be scheduled for a date within 30 calendar days from the date the request was received by the board, and the hearing should be scheduled to provide a reasonable opportunity for both the homeowner and the board to attend. Failure to submit an appeal or to appear at a scheduled hearing will result in an automatic appeal denial. Failure to correct the violation and/or pay the fine will follow the fine schedule outlined in this Fining Policy.

### FINE SCHEDULE

- 1<sup>st</sup> Fine:** An owner will receive a fine of **\$100.00** and **30** days to comply. If compliance is not met then;
- 2<sup>nd</sup> Fine:** An owner will receive an additional fine of **\$200.00** and **30** days to comply. If compliance is not met then;
- 3<sup>rd</sup> Fine:** An owner will receive an additional fine of **\$300.00**. If compliance is not met within **30** days, the owner will receive an additional **\$300.00** fine automatically every **30** days until compliance is met.