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# *THE POINTE AT NEWPORT RIDGE ASSOCIATION*

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## ENFORCEMENT & FINE POLICY

Upon notification or observation of a violation of the restrictions as set forth in the Declaration of Restrictions, Management will send out a notice of violation citing the actual violation, the article and section of the Declaration of Restrictions being violated and a reasonable time period in which to correct the violation.

Upon second notification or observation of the continued violation following the expiration of the time period allotted, Management will send out a second Notice of Non-Compliance. Upon third notification or observation following the expiration of the time period allotted, Management will send out a Notice of Hearing. This letter is to be sent via certified, return-receipt requested, and regular mail.

A hearing is held before the Board of Directors for the purpose of the homeowner to explain the reasons for the continued non-compliance. Should the homeowner not attend the scheduled hearing a Notice of Non-Compliance assessment of \$150.00 will be sent to them.

The Board of Directors will make a decision, following the hearing, as to what action is to be taken in order to gain compliance, and will notify said owner within seven (7) business days of the date of the hearing. This notice will advise the homeowner of the action taken and that failure to comply within a given number of days, to be established at the discretion of the Board, will result in a non-compliance assessment. This letter will be sent via certified mail, return-receipt requested and regular mail. The amount of the assessment will be based on whether the homeowner has been assessed a Non-Compliance fee for the same Non-Compliance in the past. The policy for the Association is \$150.00 for the first notice, \$500.00 for the second notice and \$1,000.00 for each additional notice.

At any time during this procedure, the Board of Directors may determine that it is in the best interest of the Association to expedite enforcement action and may choose to take legal action or to cause the violation to be corrected at its expense and assess the account of the owner for reimbursement for said correction.

If no compliance is gained, the Board of Directors may seek legal action against the owner.

Adopted by the Board of Directors 2004