

# **Cherry Grove Condominium Association Board Policy Statement**

## **Fines and Violations**

Whereas, the Board of Directors of Cherry Grove Condominium Association is empowered to govern the affairs of the Association, and

Whereas, it may, from time to time, become appropriate for the Board of Directors to initiate a Notice of Violation for apparent non-compliance with the regulations of the Association,

Therefore, be it resolved that the policy for the issuance of such notices and for the assessment of fines for violations shall be as follows:

1. All Notices of Violation (Notices) are subject to appeal to the Board within the time limits given and in the manner prescribed in the Notice. Notices, which are successfully appealed, will remain on file, for continuity of policy, but will not be counted in the fine schedule.
2. Notices that are properly appealed, as in paragraph 1, will not result in fines or other action pending final disposition of the appeal. If the appeal is successful, the Notice will be dismissed. If the appeal is unsuccessful, the fine, if any, will be due and payable within ten days, and then added to the co-owners account if still unpaid. Correction of the situation which lead to the Notice first being issued must occur within the time specified in the letter advising of the unsuccessful appeals or another Notice may be issued.
3. Notices may be issued immediately for any apparent violation that comes to the attention of the Board. However, at the sole discretion of the Board, there may be an Alleged Violation Letter issued instead of a Notice, describing the violation observed and providing an opportunity to correct the situation within a given time. If the condition remains uncorrected, a Notice of Violation may be issued.
4. Co-owners who desire to call an apparent violation to the attention of the Board are requested to send, in writing, all available information, such as dates, times, names, addresses, location and description of the apparent violation, and any other pertinent details, to our management agent, Herriman & Associates, Inc. A Report of Alleged Violation form is available for this purpose. The report of an alleged violation, whether using a letter or form, must be signed by at least one co-owner, with his/her Unit Number, address and telephone number included. The signature of a second co-owner would be helpful but is not required. Any notices to the alleged violator will not cite the name of the complainant, however the complainant may be asked to appear at a hearing as a witness if the allegation is disputed.
5. Each Notice of Violation that has not been successfully appealed will be counted when applying the fine schedule.
6. The fine schedule is as follows:
  - 1st violation, no fine
  - 2nd violation, \$25.00
  - 3rd violation, \$50.00
  - Additional violations, \$100.00 each

Policy mailed to co-owners: April 29, 2004  
Policy affirmed by Board of Directors: June 15, 2004