

# 2010 CC&R ENFORCEMENT POLICY THE ISLANDS HOMEOWNERS ASSOCIATION INC.

**VIOLATIONS BY CATEGORY:** The first notice in each of the following categories shall be sent at no charge to the homeowner. The second and all future enforcement actions by management shall result in management fees charged to the homeowner as noted below. All notices shall fall into one of the following 7 categories:

- 1) Landscape Maintenance: Required Weekly [weed beds/mow/trim/etc]
- 2) Unsightly Conditions: [trash/trash cans/oil stains/equipment/items/general maintenance/fences/etc]
- 3) Unapproved Parking: [vehicles/trailers/boats/RV's/trucks/etc]
- 4) Offensive Activities: [general nuisance/animals/business activity/noise/etc]
- 5) Changes to Appearance of Property: [incomplete or unapproved projects/antennas/decorations/etc]
- 6) Distressed Lawns: [weeds in lawn/diseased, insects or stressed/etc (watering & chemicals)]
- 7) Trees, Shrubs & Plants: [pruning/distressed or dead]

## ENFORCEMENT PROCEDURE:

### A. WEEKLY LANDSCAPING MAINTENANCE:

**(Minimum requirements: Lawns mowed, trimmed & beds weeded).**

- 1. **5 Day Notice:** Upon detection of a violation the Homeowner will be notified of the infraction by way of a Courtesy Notice through the US mail or Email. Correction or an “acceptable response” (See Pg 2) from the Homeowner must be received by management prior the due date of this notice. **(Owner is charged a management fee for all follow-up on violations beyond this 1st notice)**
- 2. If uncorrected by the due date of the first notice, the Management may send a second notice **(a \$30 Management fee shall apply)** or correct the violation and/or impose the following noncompliance assessments in addition to any other related costs to the Association.
  - a. **\$50** may be assessed following the due date of the 5-day notice.
  - b. **\$75** will be assessed if correction is not made by the due date of the \$50 assessment (item a).
  - c. **\$100** will be assessed if correction is not made by the due date of the \$75 assessment (item b) and assessed repeatedly at this rate thereafter until the violation has been corrected.

### B. OTHER VIOLATIONS:

- 1. **First Notice:** Upon detection of a violation the Homeowner will be notified of the infraction by way of a Courtesy Notice through the US mail or Email. The intent is to quickly correct misunderstandings by means of friendly communication. Correction or an “acceptable response” (See Pg 2) from the Homeowner must be received by management prior the due date of this notice. **(Owner is charged a management fee for all follow-up on violations beyond this 1st notice)**
- 2. **Second Notice:** In the event the first notice does not bring closure, a second notice for non-compliance will be sent **(a \$30 Management fee shall apply)**. To avoid further charges, correction or an acceptable response from the Homeowner is required by the due date of this second notice.

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3. **After the due date of the 2<sup>nd</sup> notice, the following charges will be assessed for noncompliance, and the Association may correct the discrepancies that are within its power to correct and charge the homeowner for all related costs to the Association.**
- a. **\$50** will be assessed if correction is not made by the due date of the 2<sup>nd</sup> notice.
  - b. **\$75** will be assessed if correction is not made by the due date of the \$50 assessment (item a).
  - c. **\$100** will be assessed if correction is not made by the due date of the \$75 assessment (item b) and repeatedly assessed at this rate thereafter until the violation has been corrected.

**To Avoid a Notice for a discrepancy you are working on:** Please notify Kareco in writing if a CC&R discrepancy exists on your property that will require more than 2 weeks to correct. State that you are aware of the situation, the steps you are taking and the date you intend to have it corrected. Example: Your tree or bush has died and you are looking for a suitable replacement. **Let's work together to avoid unnecessary notices.**

**Re-occurrence of a violation:** Upon a re-occurrence in a violation category within Twelve (12) months of the date of the last notification, assessments shall proceed to the next level according to this policy. At any time, the Association may elect to correct any discrepancy that is within its power to correct and charge the homeowner for all related costs in addition to any noncompliance assessment.

**Acceptable Response:** All responses must be in writing. At any time, an Owner may submit, either (1) a proposed plan to correct the infraction, with date of completion, or (2) a request showing cause for leniency or variance from the requirement (see CC&R Sec 11.06). Any hardcopy proposal shall be signed and dated by the Owner. Otherwise, an Owner may request a meeting with the Board, in order to appeal the issuance of any violation. However, if the appeal is considered frivolous by the Board, the requesting Owner may be charged management fees for any resulting research and/or reports requested by the Board or the Owner.

**Noncompliance Assessment Billing:** Upon the first day of each month the Owner in violation shall be billed for any assessments or costs posted to their account during the previous month. Overdue Accounts will be handled according to the current "Assessment Collection Policy".

**Responsible Party:** It is the responsibility of the Homeowner to notify Kareco in writing immediately upon taking any action to correct a violation. The Islands Homeowners Association, Board of Directors, Architectural Control Committee and/or Kareco LLC shall not be held responsible for any loss due to the exercise of the Association's right to correct a violation.

The Association reserves the right to modify or supersede this policy if the Board determines it in the best interest of the Association to do so.

**YOU MAY MAKE WRITTEN REQUEST BY U.S. MAIL, EMAIL OR ON THE HOA WEBSITE.**

**Authority:** Your Board of Directors, in keeping with the purpose of the Association as found in CC&R Art IV, has adopted this policy in an effort to protect and enhance your investment as Homeowners. Authority for this action is granted by CC&R Sec 6.07(b), 6.08(h) & 8.05, Limited Assessments, [c] limited purposes. This Policy was approved at a duly held meeting of the Board on the **29th day of December, 2009**, and shall be effective from this date until revised by the Board. The powers of the Board shall not be limited in any way by this policy.

The Islands Homeowners Association, Inc.  
Board of Directors  
HOA Website: [www.theislandshoa.org](http://www.theislandshoa.org), "Requests"