



RAINTREE HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION 2003-00

RULES ENFORCEMENT POLICY

WHEREAS, Article XI, Section 1, and Article VIII, Section 1(g) of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the Raintree Homeowners Association, Inc. grants power to the Association to enforce applicable provisions of the Declaration regarding all restrictions, conditions, covenants, reservations, liens and charges; and

WHEREAS Article VI, Section 2, of the By-Laws grant the Board of Directors with the power to conduct Association business and to promulgate and enforce rules:

LET IT BE RESOLVED THAT the following Rules Enforcement Procedures will be followed:

1. **FAILURE TO COMPLY** with a provision of the Rules, By-Laws, or CC&Rs of Raintree Homeowners Association, Inc., or a decision of the Board of Directors, will be grounds for an action to recover monetary damages including but not limited to fines levied by the Board and legal costs incurred by the Association. Such failure to comply shall further be sufficient grounds for the issuance of injunctive relief in such an action.
2. **PERIODIC REVIEWS.** The Management Company will conduct periodic reviews of the Association Lots and send non-compliance notices to property owners who are in violation of the rules and Association documents. Members of the Association may also inform the Board of a violation through the Property Manager in writing or through the Association website.
3. **FIRST NOTICE.** If the report of violation is accurate, first time offenders will be sent a Courtesy Letter by first class mail with a Certificate of Mailing. The first notice of the violation will be regarded as a warning, unless otherwise stipulated in the Association Rules. The notice will typically include: The nature of the alleged violation, text from the association documents relative to the violation, and a predetermined time period to remedy the violation. This notice will advise the homeowner of the next enforcement steps.
 - 3.1. Violations listed below will subject owners to receive a notice of fine for each repeat violation after the first written warning from the Board of Directors. These infractions will **not** receive a second notice. Homeowners will also receive a notice of fine if the first infraction is not cleared within the reasonable timeframe provided below:
 - 3.1.1. Architectural changes without approval from the Architectural Standards Committee: – 30 days;
 - 3.1.2. Expiration of ASC approval: - 30 days;
 - 3.1.3. Parking violations (see Parking Policy); - 24 hours;
 - 3.1.4. Trash containers: - 24 hours;
 - 3.1.5. Burning of trash: - 24 hours;
 - 3.1.6. Accumulation or storage of litter, building materials or trash of any kinds: - 24 hours;
 - 3.1.7. Yards, decks, porches or patios not maintained in a neat, safe, and orderly manner: - 24 hours;
 - 3.1.8. Noise nuisance between 11:00 p.m. and 9:00 a.m. – does not apply;
 - 3.1.9. All others as designated on notice.
 - 3.2. Violations listed below will receive a first and second notice before a notice of fine. The reasonable time allowed for correction of rule infractions are as follows:
 - 3.2.1. Architectural (see Architectural Rules): - 60 days or as designated on notice, plus the ASC may demand the modifications constructed without approval be removed or brought into compliance as per the CC&R Article IX, Section 2. An injunction maybe pursued by the Board; see Damages and Injunctive Relief, below;
 - 3.2.2. All others as designated on notice.
4. **SECOND NOTICE.** A second notice shall only be sent for violations listed in Section 3.2, above. If the violation is not remedied, the second notice shall be sent 10 days before expiration of the timeframe stated on the first notice. This notice will be sent to the Owner by first class mail with a Certificate of Mailing. The second notice of the violation will also be regarded as a warning, unless otherwise stipulated in the Association Rules. This notice will advise the homeowner of the next enforcement steps that will occur after the 10 days has expired.



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5. NOTICE OF FINE. If the violation is not remedied within the timeframe stated on the first notice, or is repeated a second time, a fine will be levied against the homeowner in accordance with the Schedule of Fines Policy until the violation is remedied. This notice of the fine will be sent by Certified mail and First Class mail.
 - 5.1. Rule infractions listed below will immediately receive a notice of fine for each violation. These infractions will not receive any warning notices:
 - 5.1.1. Failure to pickup pet fecal matter or violation of the leash law on common grounds;
 - 5.1.2. Trash or litter left on the common grounds;
 - 5.1.3. Destruction, damage or marring of equipment, property or landscaping on the common grounds;
 - 5.1.4. All others as designated on notice.
6. DAMAGES AND INJUNCTIVE RELIEF. The Board of Directors may exercise the right to take appropriate action to enforce compliance with any provision of the Rules, Governing Documents or any Board decision. Any action for damages and/or injunctive relief against the violator for failing to comply may be initiated at anytime as deemed by a majority vote of the Board. All costs associated with these actions will be added to the Owners assessment and, if unpaid, are subject to the Collection Policy.
7. ALL FINES are listed in the Schedule of Fines Policy and are subject to the Collection Policy if unpaid.
8. Past Boards failure to enforce rules or Association Documents does not prohibit enforcement of rules or Association Documents by subsequent boards.

Adopted on: May 24, 2003

Revised on: February 10, 2004

Brent J. Leib, President - Board of Directors