

Valley View Estates Property Owners Association
1 Mountain Rd.

Albrightsville, Pa 18210

(570)445-4682

vvepoa@yahoo.com

Website: www.valleyviewpoa.com

RESOLUTION NO. 1-2003

Pursuant to the authority granted under Paragraphs 2 and 8 of the February 20, 1990 Declaration of Covenants for Valley View Estates and Article 4, Section 2 of the Valley View Estates Property Owners' Association Bylaws, the Board Of Directors hereby approves the following:

Section 1. Creation of Covenant Enforcement Committee

- a. There is hereby created a Covenant Enforcement Committee ("the Committee") which will be comprised of three members in good standing, one of which is a member of the VVEPOA Board of Directors.
- b. The Committee shall meet monthly on a date not less than two weeks before any regular Executive meeting of the VVEPOA Board of Directors.
- c. The Covenant Enforcement Committee is empowered to adjudicate any disputes regarding alleged violations of the organizational documents of Valley View Estates Property Owners' Association and will work in cooperation with the present Architectural Review Committee.
- d. At meetings of the Covenant Enforcement Committee, a quorum shall be comprised of two members and all actions taken will be by a majority vote of the Committee.
- e. There will be chosen a Chairman and Secretary for the meetings. The Chairman shall preside over all meetings and the Secretary shall be responsible for retaining records and minutes of the meetings.
- f. If no pending cases are before the Covenant Enforcement Committee, no meeting is required for that respective month.
- g. Meetings of the Covenant Enforcement Committee will be open to the public, yet will not be open for public comment, and will solely be used as an opportunity for the alleged violator to present his or her defense.
- h. The Covenant Enforcement Committee is authorized to recommend penalties including fines, suspension of voting rights or the infringement of any other rights, for violation of the rules, bylaws, or covenants.
- i. The Covenant Enforcement Committee is hereby authorized to promulgate and enforce any and all rules of the Valley View Estates Property Owners' Association.

Section 2. Notice and opportunity to be heard.

The Board shall not impose a fine, suspend voting, or infringe upon any other rights of a member or other occupant for violations of rules unless and until the following procedure is followed:

UPON NOTICE OF A VIOLATION BY THE ASSOCIATION:

- (1) DEMAND- Written demand to cease and desist from an alleged violation shall be served upon the alleged violator specifying:
 - (a) the alleged violation
 - (b) the action required to abate the violation; and
 - (c) a time period, not less than ten (10) days, during which the violation may be abated without further sanction.
- (2) NOTICE- At any time within twelve (12) months of any demand, if the violation continues past the period allowed in the demand for abatement without penalty or if the same rule is subsequently violated, the Board or its' delegate shall serve the violator with written notice of a hearing to be held by the Covenant Enforcement Committee. The notice shall contain:
 - (a) the nature of the alleged violation;
 - (b) the time and place of the hearing, which time shall not be less than ten (10) days from the giving of the notice;
 - (c) an invitation to attend the hearing and produce any statement, evidence, and witness on his or her behalf; and
 - (d) the proposed sanction to be imposed.
- (3) HEARING- The hearing shall be held in executive session pursuant to this notice affording the member a reasonable opportunity to be heard. Prior to the effectiveness of any sanction, notice of the Committee hearing shall be forwarded by regular mail to the member at his or her address on record. Proof of notice shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery is entered by the officer, Director, or agent who sent the notice. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction, if any, imposed. The recommended action of the Covenant Enforcement Committee shall be transmitted to the Board of Directors for formal action. The recommendation of the Covenant Enforcement Committee shall be reviewed at a regular or special Board meeting and accepted, rejected, or modified by the Board of Directors. Notice of the Board's formal action shall be sent to the violator.

- (4) APPEAL- Following a hearing before the Covenant Enforcement Committee, the violator shall have the right to appeal the decision of the Board of Directors. To perfect this right, a written notice of appeal must be received by the Directors, President, or Secretary of the Association within twenty (20) days after the mailing of the notice of the Board's formal action sanctioning the violator. The appeal will be brought before the Board of Directors in executive session.

Section 3. Fine schedule

The following schedule of fines is adopted for Valley View Estates Property Owners' Association and applies to any violations of the Covenants, Bylaws, or any and all future Rules and Regulations promulgated by the Covenants Committee.

First violation-	\$100
Second violation-	\$250
Third violation-	\$500
Four or more violations-	\$1000

Section 4. Promulgation of Rules & Regulations

The Covenants Committee is hereby authorized to develop and promulgate a comprehensive set of rules and regulations for the Valley View Estates Property Owners' Association. Such rules and regulations must be promulgated within 120 days of the date of approval of this resolution. Upon their promulgation, copies of the rules and regulations shall be mailed to all members in good standing of the VVEPOA and will be posted in prominent public areas within the development. Within 30 days of the mailing of these rules and regulations there will be a public hearing on the rules at a site to be named later. After taking comments from this public meeting, the VVEPOA Board of Directors shall formally adopt these rules and regulations within six (6) months of the date of this resolution. Upon final approval of the Board, these rules will be fully enforceable upon all members of the VVEPOA membership. These rules and regulations will serve to complement the present Articles of Incorporation, Declaration of Covenants, and Bylaws of the Valley View Estates Property Owners' Association and will not in any way conflict with these greater sources of authority.

This Resolution approved this 18th day of September 2003