



A Premier Planned Community in West Hanover Township, PA

BEPOA ENFORCEMENT POLICY

Effective: 01 May, 2024

Publication of Rules and Regulations

- Every Unit Owner should receive a copy of the Declaration, Bylaws, and all existing Rules and Regulations when they purchase a Unit.
- If Unit Owners need a second copy of the Rules and Regulations, they can request a copy from the Property Manager. The Association will charge the Unit Owner a fee for each copy.

Original Warning

- If a Unit Owner violates any portion of the Declaration or any of the Rules and Regulations, the Association or Property manager will send the Unit Owner a warning letter. The warning letter may be mailed, placed on the Unit Owner's door, hand-delivered, or emailed to the Unit Owner.
- For any ongoing violation (such as failing to maintain the yard, failing to maintain the exterior of a Unit, having a prohibited structure in the yard, keeping more than the permitted number of pets, etc.), the Unit Owner will have 15 days from delivery of the warning letter if hand-delivered, emailed or posted and 18 days from the date the letter was placed in the regular mail to acknowledge the violation with an action plan for correction.
- For any violation that is a single occurrence (such as a parking violation, creating a disturbance with noise, smoke, light, or other reason, failing to curb a pet, etc.) the Unit Owner will receive a warning that a repeat of the action in the next twelve (12) months will be a violation.

Notice of Violation

- If a Unit Owner fails to correct an ongoing violation or commits another single occurrence violation within 12 months after being warned, the Unit Owner will receive a Notice of Violation.
- The Notice of Violation will state the provision of the Declaration, Bylaws, and any existing Rules and Regulations violated, along with the amount of the assessed fine.

Opportunity to Dispute Violation

- If a Unit Owner disputes that he or she has violated the Declaration, Bylaws, and any existing Rules and Regulations, the Unit Owner must notify the Property Manager, in writing, within ten (10) days of receiving the Notice of Violation. The notice only needs to say that the Unit Owner disputes the violation and either states the basis for disputing the violation or that the Unit Owner would like an opportunity to be heard by the Board.
- The Board can consider a written dispute and render its decision or if the Unit Owner has a request to be heard, the Board will allow the Unit Owner to dispute the violation in person at the next regularly scheduled Board meeting or a Special Meeting of the Board called for that purpose.
- The Unit Owner will have 5 minutes to orally present the basis for disputing the violation to the Board. The Board may allow additional time at its sole discretion.
- The Board will consider the basis for the dispute. It may render its determination consistent with the Declaration, Bylaws, and any existing Rules and Regulations or table the matter for later consideration and decision at the next Board meeting.
- The Board will, within 10 days from the meeting at which the dispute is heard and considered by the Board, communicate its determination to the Unit Owner, either verbally at the meeting and in a later confirmatory writing or in writing only if the dispute is only written.
- Failure to dispute the Notice of Violation within 10 days of receipt or failure to appear at the meeting will be deemed to waive the opportunity for the Unit Owner to dispute the violation.
- The Unit Owner and/or the Board may have an attorney present at the meeting.

Fines

- If the Board determines that the Notice of Violation was improper, it will be withdrawn, and there will be no fines.
- If the Board determines that the Notice of Violation was correct, the fines for the violation will begin from the date of such determination.

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- For any continuing violation, unless specifically noted otherwise in another policy, the fines will be as follows:
 - Base fine will be \$25.
 - On the first day of the following calendar month (unless the Notice of Violation was issued in the last 5 days of the month), an additional fine of \$50 will be assessed.
 - On the first day of any following calendar month, an additional fine of \$100 will be assessed.
 - For any single occurrence violation, fines will be as follows:
 - The first occurrence within 12 months will be \$25.
 - The second and any additional occurrences will be \$50.
 - Until 12 months pass between violations, each new occurrence will result in a Notice of Violation, not a Warning.
- The Board may vote to increase the fine amount or frequency when homeowners repeatedly fail to comply with the declaration and policies' enforcement.

Fines as Liens against Unit

- All fines will be assessed against the Unit. They become a lien on a Unit, the same as all other assessments.
- All fines will accrue interest if not paid in the same manner and at the same rate as for other unpaid and delinquent assessments.
- The costs of collecting fines, including court costs and attorneys' fees, will be assessed against the Unit Owner in the same manner as for other unpaid and delinquent assessments.
- Payments from the Unit Owner will be applied in the following order, regardless of any dispute or notation or instructions placed on the payment: Interest, late fees, costs of collection, including attorneys' fees, and then to the fine.

Board Discretion

- The Board may waive a fine for a violation for a good cause.
- Any waiver of a fine in one circumstance does not constitute a waiver by the Board from future enforcement of a violation.

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- Because the enforcement of the Rules and regulations is the responsibility of the Board and in the best interests of the Community as a whole, a Board member will not have a conflict of interest if he or she may benefit from the decision being made or if the Board member discovered the violation.

Violations of this section fall within the fines section of the Bradford Estates Enforcement Policy document, and are subject to fines up to and including property liens, for non- payment of fines.

Version History:

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Updated and approved 17 April, 2024