

VILLAGE OF CINDERBERRY HOA/POA

COVENANTS AND RULES VIOLATIONS

VIOLATION AND FINE PROCEDURE

In the event that an owner or tenant of a unit in the Village of Cinderberry is in violation of the established rules, or any restrictions authorized in the governing documents of the Associations, the following schedule shall control:

- A. First violation, based on a complaint received and if deemed to be valid by the Property Manager or the Board/Council, a written and/or verbal warning and notice of violation will be issued to the owner and tenant of the unit in violation. The unit owner and tenant shall be given a reasonable opportunity to contest the circumstance, generally not more than three (3) days or if a first time or unintentional offense, assure the Property Manager or the Board/Council that the violation will not be repeated.
- B. On a second violation for the same offense, an additional notice of violation will be issued to the owner and tenant of the unit in violation. In addition to the notice, a fine in the amount of (see attached schedule) will be imposed against the owner of the unit in violation, payable in 30 days or less. Said fines shall act as a lien against the unit, accrue with interest once past due, and be collectible in the same manner as any other assessments and charges levied by the Association against a unit owner in accordance with the governing documents of the Association.
- C. For a third violation for the same offense, and all others thereafter, an additional notice of violation will be issued to the owner and tenant of the unit in violation. In addition to the warning, a fine (see attached schedule) will be imposed against the owner of the unit in violation, payable in 30 days or less. This fine will act as a lien against the unit as described in paragraph B

July 9, 2013

**Lien Against Unit:** Any such fine imposed shall constitute a personal obligation of the owner, as well as a lien upon the unit, which lien may be foreclosed in the same manner as a lien for unpaid community association's common area charges pursuant to the laws of the State of Delaware. It is important to note that the owner of the unit in violation is ultimately the responsible person. It will be incumbent upon the owner to take action against the tenant to remove the cause of the violation.

**Fees and Costs:** The owner shall be liable for attorney's fees and court costs incurred by the Association incident to the levy and collections of the fine, including appellate proceedings.

**Crediting Payments:** The Association shall apply all partial payments by the owner to the Member's outstanding balance in the following order:

- Attorney's fees and court costs
- Late fees and interest
- Fines
- Special Assessment; and
- Regular Assessment with payment being applied to the oldest balance first.

No partial payment shall waive the Associations right to pursue full payment and/or enforce its by- laws, declarations and rules and regulations.

## FINE SCHEDULE

|   | Days to Correct | Fine                    |                   |
|---|-----------------|-------------------------|-------------------|
|   |                 | 1 <sup>st</sup> Offense | Repeated Offenses |
| <b>Common Areas/Yards</b>   |                 |                         |                   |
| . Failure to clean-up after pet   | Immediate       | \$ 25.00                | \$ 50.00          |
| . Permitting dogs to go more Than 3 ft. onto any grass areas per restrictions | Immediate       | \$ 25.00                | \$ 50.00          |
| .Pets running free w/o leash  | Immediate       | \$ 25.00                | \$ 50.00          |
| .Improper Signage   | Immediate       | \$ 25.00                | \$ 50.00          |

### Driveways/Parking Areas

|           |   |          |          |
|-----------|---|----------|----------|
| .Trailers | 1 | \$100.00 | \$200.00 |
| .RV's     | 1 | \$100.00 | \$200.00 |
| .Boats    | 1 | \$100.00 | \$200.00 |

### NO OVERNIGHT PARKING

No truck licensed for more than 3/4 ton, camper, motor home, boat, or trailer of any kind may be parked in the Village of Cinderberry for more than 4 hours in any seven day period

### Community Center

|                      |           |          |          |
|----------------------|-----------|----------|----------|
| .Pool/Fitness Center | Immediate | \$ 50.00 | \$100.00 |
| .Meeting Hall        | Immediate | \$ 50.00 | \$100.00 |

### Payment Obligations

|                     |    |           |  |
|---------------------|----|-----------|--|
| <b>.Annual Dues</b> |    |           |  |
| 2 months past due   | 10 | \$ 25.00  |  |
| 3 months past due   | 10 | \$ 50.00* |  |

\*Begin Lien Process

Any other complaint or violation not specifically outlined here will be treated by the Property Manager or Board/Council in the same manner, with the level of fines determined on a case by case basis in line with the fine amounts listed above. The current Violation and Fine Procedure may be changed or amended at any time by the Board/Council.

(Revised) August 25,2015

The Violation and Fine Procedure along with the Revised Fine Schedule for the Village of Cinderberry are approved this day of August, 25, 2015.

Village of Cinderberry  
Property Owners Association, Inc.



Jack Hickey, President



Bob Holston, Vice President



Charles Drummond, Secretary



Ed Stanford, Treasurer



Bill Matz, Maintenance

Village of Cinderberry  
Homeowners Association, Inc.



Jack Hickey, President



Bob Holston, Vice President



Bill Drummond, Secretary



Ed Stanford, Treasurer



Bill Matz, Maintenance

August 25, 2015