

Bel Aire Heights Homeowners Assoc.

Sept.15, 2019

Fine Schedule for Covenant, Conditions and Restrictions Violations

The Bel Aire Heights HOA Board has established the following fine schedule and procedures per Article X (10) of the Bel Aire Heights Declaration of Covenants, Conditions and Restrictions.

Violation	1st Fine	2nd Fine	3rd Fine
Maintenance of Lots (Exterior and Landscape)	\$ 50.00	\$ 100.00	\$500.00
Unauthorized Vehicle, RV, Boat, Trailer Parking	\$ 50.00	\$ 100.00	\$500.00
Trash Container Violation	\$ 50.00	\$ 100.00	\$500.00
Refuse Accumulated on Lot	\$ 50.00	\$ 100.00	\$500.00
All other Declaration or ACC Standards Violations	\$ 50.00	\$ 100.00	\$500.00

The payment of any and all legal fees and costs incurred by the Association to enforce violations or collect fines shall be the responsibility of the homeowner per Article X (10) of the Bel Aire Heights Declaration of Covenants, Conditions and Restrictions.

Procedure for Identification of Violations, Notice of Violations and Assessment of Fines

Step 1: Inspections are performed in the Bel Aire Heights community on a regular basis by the Management Company to monitor homeowner covenant, conditions and restrictions compliance. Violations can be identified (i) during the periodic community drive through and/or (ii) by complaints from homeowners that have been verified.

Step 2: The Management Company will notify the homeowner regarding any violation in writing via USPS. The homeowner will have fifteen (15) days to comply or contact the Management Company to discuss any hardships in complying. The Management Company will accommodate homeowner access to (a) the Bel Aire Heights Declaration of Covenants, Conditions and Restrictions and/or (b) the Standards of the Bel Aire Heights Architectural Committee to facilitate homeowner understanding and compliance with any violation.

Step 3: If the violation is not resolved and/or the Management Company has not been contacted within the initial fifteen (15) days the homeowner will receive a second letter related to the continuing violation. The homeowner will then have fifteen (15) days to resolve the violation or a 1st fine of \$50 will be assessed. If the violation continues after the 1st fine assessment, a 2nd fine of \$100 will be assessed. If the violation continues beyond the 2nd fine assessment, a 3rd fine of \$500.00 will be assessed. Beyond the 3rd fine assessment, additional fines will be up to and including \$500.00 per occurrence until the violation is corrected.

Step 4: If at any point, within the twelve (12) month period from the date of the first violation notice, the same violation reoccurs after being properly resolved, the fine will be immediate up to \$500.00 per occurrence until corrected. The Management Company will notify the homeowner. If the violation reoccurs after twelve months (12) from the date the violation is resolved. The fine and notice process will start anew.

Step 5: The Bel Aire Heights HOA Board of Directors may file a lien on the property for the unpaid fines

Step 6: There will be no waiver of properly assessed fines for the above noted violations.

HOMEOWNER OBLIGATIONS/RGHTS AFTER VIOLATION NOTICE

1. Homeowner shall bear the responsibility to inform HOA Management Company when the violation has been corrected. HOA Management will verify on its next scheduled visit that the violation has been corrected after being contacted by the owner. If the violation has not been corrected fines will retroactively be assessed.
2. Owner shall have the right to dispute the violation, they must file a written appeal to HOA Management Company and the appeal will be put on the next scheduled board meeting for the Board of Directors to rule on. Appealing one violation does not relieve the owner's responsibility to follow and be in compliance with the rest of the Associations documents and rules, each potential violation must have its own appeal to be considered. Each property will be discussed on its own merits, past performance of the board or Management Company will not be considered as a defense.
3. Owners are responsible for filing and writing plans to bring their properties into compliance if compliance cannot be achieved within the 15-day allotted period of time. These plans will be reviewed at the next scheduled board meeting and must be received by HOA Management within 15 days of the initial violation notice to be considered. Plans must contain a timeline and detail on how the violation will be corrected; the Board reserves the right to modify plans at the board meeting when they are presented. Approved plans are expected to be followed; any non-compliance with an approved plan will automatically trigger retroactive fines back to the date of initial non-compliance. If a plan is denied, the homeowner is expected to bring the property into compliance within 15 days. The board will judge each case on its own merits and will take into account cost of the project, time of the year, scope of the project, family hardships and past homeowner compliance when considering appeals.
4. Homeowners have the right to be present at the board meeting and present information to support their case. Board members have the right to question homeowners to gather more information to make a decision.
5. Fines will not accrue while a homeowner is appealing a violation or waiting for approval on a compliance plan. The date an appeal or approval plan is heard will be considered the initial notification if the appeal or plan is denied. Homeowners will only have one opportunity to be heard before the board.