

NORTHRIDGE HEIGHTS COMMUNITY ASSOCIATION

dba The Heights at Porter Ranch

ENFORCEMENT POLICY AND FINE SCHEDULE

Updated for compliance with the Davis-Stirling Common Interest Development Act and CC&Rs

Effective Date: June 1, 2026

The purpose of this Enforcement Policy and Fine Schedule (“Policy”) is to encourage compliance with: the Declaration of Covenants, Conditions and Restrictions for Northridge Heights (“CC&Rs”); the Bylaws; and any Resolutions of the Board; all as the same may be lawfully amended or modified from time to time (hereinafter “Governing Documents”). This Policy will supersede and replace any prior enforcement policies and fine schedules.

NORTHRIDGE HEIGHTS COMMUNITY ASSOCIATION DOING BUSINESS AS THE HEIGHTS AT PORTER RANCH (“Association”) is the governing body responsible for the management, maintenance, and administration of the residential development. The CC&Rs provide the Board of Directors (“Board”) with the authority to enact and enforce the applicable provisions of the CC&Rs and other Governing Documents and instruments for the management and control of the community. (CC&Rs, Art. IX, §§ 9.01(a) and 9.01(h) – 9.01(i); Art. XVI, § 16.04; Civil Code §§ 4340–4370.)

I. REMEDIES FOR ENFORCEMENT

All Owners must be in “good standing” at all times. “Good standing” means that the Owner is in compliance with the Governing Documents, including, without limitation, the timely payment of assessments and the maintenance of his/her Lot. The Board may impose discipline within its reasonable discretion for violations of the Governing Documents. The selection of one remedy does not preclude the Association’s right to pursue others. (CC&Rs, Art. XVI, § 16.04(f).)

Violation of the Association’s Governing Documents may result in a warning letter, suspension of privileges (including but not limited to rights to use the Common Area recreational facilities), fines as the Board may determine to be appropriate and/or directive to an Owner to evict his/her/its tenant based on a determination by the Board that the tenant is creating a nuisance and/or health or safety risk in the community, etc. “Tenant” shall mean any natural person occupying a Lot, except the Owner and his/her immediate nuclear family members (spouse, partner, parents, children, and siblings) residing with the Owner, with or without the payment of rent.

In addition to the above, the Board may file a lawsuit seeking judicial relief and compensation for its attorneys’ fees incurred in these enforcement matters.

Upon notice and hearing, monetary fines and penalties may be assessed against Owners for violations of the Governing Documents. Any fines levied pursuant to the below listed schedule that are not paid, may result in the Association commencing collection proceedings against the Owner, which may include posting all amounts due to the Owner’s account, making a demand for payment on an open escrow and/or legal action. The Association by way of this Policy is not waiving any of its other rights provided under law, its CC&Rs or otherwise. The Association expressly reserves all rights.

Should a violation occur which imposes a financial obligation upon the Association, including, without limitation, damage caused to the Common Area, the Owner responsible for said violation shall reimburse the Association for this financial obligation, by way of a reimbursement Special Assessment, which may be imposed following notice and hearing. (CC&Rs, §§ 1.03(d), 4.04, 5.06, 16.04(b); Civil Code § 5855.)

II. COMPLAINT PROCEDURE

Where complaints are received from any person or where the members of the Board or its agents witness a violation of the Association's Governing Documents, an officer or member of the Board or its agent shall provide written notice to the Owner of said violation. The notice shall contain as much information as to the time, date, location, persons involved, and other relevant information pertaining to the violation.

The notice shall be directed to the Owner by personal or individual delivery pursuant to Civil Code Section 4040 or by first class mail, addressed to the Owner at the most recent address shown in the Association's records of the actual homeowner of record. Service by mail shall be deemed to be delivered and effective on deposit into a regular depository of the United States mail.

III. SCHEDULE OF NOTICES AND DUE PROCESS

The first violation of the Governing Documents may result in a warning letter, unless, in the Board's sole opinion, the violation relates to a matter of such seriousness (e.g., threat to personal safety or property) or egregiousness that it is appropriate to proceed immediately to a hearing or other enforcement action.

A. Notice of Hearing

A monetary penalty or suspension of privileges will not be imposed unless the Board first provides written notice to the Owner, by either personal delivery, first-class mail, or by facsimile, e-mail or other electronic means (if the Owner has consented to such delivery in writing or by e-mail), at least ten (10) days prior to the meeting to consider or impose discipline upon an Owner, and provides the Owner an opportunity for a hearing before the Board, or Hearing Committee, as applicable. The notice shall contain the date, time and place of the meeting, the nature of the alleged violation for which the Owner is subject to discipline, and a statement that the Owner has a right to attend and may address the Board at the meeting.

B. Correction of Violation

In the event the violation is corrected prior to the hearing date, the Board will not impose discipline; however, it may still proceed with the hearing in its sole discretion. (Civ. Code § 5855(c)(1).) If the violation cannot be cured between the date notice of the hearing is provided, and the hearing itself, the Owner may provide financial commitment to cure the violation, to avoid discipline as well. (Civ. Code § 5855(c)(2).)

The Board, in its sole discretion, may determine what constitutes adequate "financial commitment" to cure the violation based on the circumstances, including but not limited to, requiring proof that a contractor has been retained by the Owner to cure the violation, requiring proof of good funds, requiring the Owner to sign a written agreement certifying their financial commitment and timeframe to cure the violation, etc.

Certain violations are not curable. Once the violation has occurred the Board may impose discipline regardless of whether the violation is no longer ongoing by the time of the hearing. Non-curable violations include, but may not be limited to, those involving parking, trash cans, traffic safety infractions, and other one-time events that cannot be remedied after the fact.

If the violation is of a continuing nature and can be cured, but the Owner fails to do so, then to the extent permitted by law, each day which passes is treated as a separate violation and thus is subject to a separate fine.

C. Opportunity to be Heard

Owners have the right to appear in person before a committee composed of Board members, or the Board, to present evidence as to why they should not be disciplined. Owners also have the right to bring an attorney with them to advise them or to speak on their behalf. If an Owner intends to have legal representation present

at the hearing, prior notice of at least five (5) business days must be provided to the Board, so that the Board may be represented by counsel. Failure to timely notify the Board that the Owner will be represented by legal counsel will result in the hearing proceeding without the Owner present. Alternatively, the Board may reschedule the hearing in its discretion. The hearing will be held in executive session.

If during the hearing, the Owner is not in agreement with the Board's decision, the Owner has the right to request internal dispute resolution ("IDR") in accordance with the Association's IDR Policy(ies).

Notwithstanding the Board's determination to impose discipline against the Owner, if Owner and Board come to an agreement during the course of the disciplinary/hearing process, the Board will prepare a written resolution memorializing this agreement to be signed by both parties. This written resolution shall be judicially enforceable. (Civ. Code § 5855(e).)

D. Notice of Decision

Within fourteen (14) days of the Board's decision, the Owner will be given written notice of the decision at the address to which the notice of hearing was directed, by personal delivery, first-class mail or by facsimile, e-mail or other electronic means (if the Member has consented to such electronic delivery in writing or by e-mail). Upon notification to the Owner of the Board's imposition of discipline, including the terms of said discipline, the discipline shall become effective.

IV. SUSPENSION OF PRIVILEGES

In addition to, or in lieu of fines, membership privileges may be suspended, which includes the suspension of the Owner's right to use Common Area facilities, and RFID access privileges, which may also result in the suspension of the tenant or other resident's rights to use the Common Area facilities, as applicable.

V. HEALTH OR SAFETY IMPACT

Pursuant to Civil Code Section 5850(c) fines may not exceed \$100.00 per violation unless, in the Board's sole and reasonable discretion, the violation may result in an adverse health or safety impact on the common area or another member's property.

A "health or safety violation" refers to any condition, action, or omission by a Member, resident, or their guests that the Board, in its reasonable discretion, determines creates a significant risk to the physical well-being, safety, or health of individuals or the integrity of community property. The Board's determination shall be guided by, but not limited to, the following considerations:

- Potential for Harm: Conditions or actions that could reasonably result in physical injury, illness, or property damage, such as exposed electrical wiring, unmaintained structures posing collapse risks, or accumulations of hazardous materials.
- Impact on Community Welfare: Issues that compromise the safety or livability of the community, including blocked fire access routes, improper storage of flammable substances, or conditions fostering pest infestations.
- Compliance with Codes and Standards: Violations of local, state, or federal health and safety regulations, building codes, or fire codes, as identified by relevant authorities or professional assessments.
- Community Standards: Conditions that deviate from the association's governing documents and create health or safety concerns, such as unapproved modifications that undermine structural integrity or certain violations involving rentals or renters.

The Board retains broad discretion to evaluate and classify health or safety violations on a case-by-case basis, considering the specific circumstances, severity, and potential impact of the issue. In exercising this discretion, the Board shall: (i) act in good faith and in the best interests of the community; (ii) base decisions on the best available evidence; (iii) consider the urgency of the violation and history of the violator; (iv) ensure consistency with the Association’s governing documents and applicable laws.

The Board may consult with professionals (e.g., engineers, health inspectors, or legal counsel) to inform its determination, particularly for complex or ambiguous cases. The Board’s classification of a violation as a health or safety matter shall be documented in writing at an open Board meeting and in the notice to the Owner.

VI. FINE SCHEDULE

The Board has the authority to adopt a schedule of monetary penalties for violations of the Association’s Governing Documents. As adopted by the Board, the monetary penalty policy for violations of the Governing Documents is as follows:

The following violations are subject to fines not exceeding \$100 per violation, unless in the Board’s discretion the violation causes a threat to health or safety as outlined in this Policy:

Violation Type	Fine Amount	Cure Timeframe
Speeding (Exceeding Posted Speed Limit)	\$100 per violation	Immediate
Failure to Stop at Stop Sign	\$100 per violation	Immediate
Unauthorized or Improper Parking (including parking in restricted or reserved spaces, red zones, blocking sidewalks, driveways, or fire hydrants)	\$50 per violation	24 hours
Minor Exterior Modification Without Approval (e.g., paint color, mailbox, door, landscaping changes)	\$100 per violation	30 days
Failure to Maintain Property in Good Repair (e.g., peeling paint, broken fence, unkempt landscaping)	\$100 per violation	30 days
Excessive Noise Violation	\$100 per violation	Immediate
Trash/Refuse Container Violations (e.g., leaving containers out beyond collection day)	\$100 per violation	24 hours
Unleashed Pet in Common Area (See Section VI.B if this creates a health/safety risk)	\$100 per violation	Immediate
Failure to Clean Up After Pet	\$100 per violation	Immediate
Unauthorized Short-Term Rental (e.g., Airbnb, VRBO without approval). Note: Association may pursue injunctive relief in court for continuing violations	\$100 per violation	7 days
Operating Home Business in Violation of CC&Rs. This violation applies only where home-based business activity violates CC&Rs § 8.01 by its nature or observable impact—for example: regular customer or client traffic to the Lot; commercial signage visible from the street or common area; commercial vehicle parking or deliveries; excessive or commercial-scale use, storage, or handling of hazardous chemicals or materials beyond normal household quantities; or other activity inconsistent with single-family residential use. Home-based business activity that does not produce these impacts is not subject to this fine. (See also Civil Code § 712.)	\$100 per violation	14 days
Smoking in Prohibited Areas	\$100 per violation	Immediate
Unauthorized Use of Common Area Facilities	\$100 per violation	Immediate
Storage of Items in Common Areas	\$100 per violation	24 hours

Failure to Provide Required Documentation (e.g., tenant information, resident information, landlord information, vehicle information)	\$50 per violation	14 days
Glass Containers at Pool Area	\$100 per violation	Immediate

The following violations have been determined by the Board to potentially create adverse health or safety impacts. Fines for these violations may exceed \$100 pursuant to the requirements of the Civil Code as outlined herein:

Health/Safety Violation Type	Maximum Fine	Cure Timeframe
Excessive Speeding (20+ mph over limit) Health/Safety Basis: Creates substantial risk of injury or death to pedestrians, children, and other residents in common areas	\$500 per violation	Immediate
Reckless Driving in Common Areas Health/Safety Basis: Creates imminent danger to residents and property	\$500 per violation	Immediate
Unleashed Aggressive or Dangerous Animal Health/Safety Basis: Creates risk of physical injury through bites or attacks	\$500 per violation	Immediate
Major Construction/Structural Changes Without Approval Health/Safety Basis: May compromise structural integrity, create fire hazards, or violate building codes affecting resident safety	\$500 per violation	30 days
Creating Fire Hazard (e.g., blocking fire exits, storing flammable materials, disabling smoke detectors) Health/Safety Basis: Creates risk of fire, injury, or death to residents	\$500 per violation	24 hours
Storing Items Outside Creating Pest Hazard (e.g., food waste, garbage, debris, or materials that attract rodents, insects, or other pests)	\$500 per violation	48 hours
Improper Disposal of Hazardous Materials (e.g., chemicals, paint, batteries in common trash areas) Health/Safety Basis: Creates environmental contamination and health risks	\$500 per violation	24 hours
Parking Blocking Entrances, Exits, or Fire Hydrants Health/Safety Basis: Obstructs emergency access and creates risk of injury, death, or property damage by preventing timely response by fire, police, or medical personnel	\$500 per violation	Immediate

**Important: Pursuant to Civil Code Section 5850(d), the Association may impose fines exceeding \$100 only for violations that may result in an adverse health or safety impact on the Common Area or another Association member's property.*

**Procedural Requirement: Before imposing any fine exceeding \$100 under this section, the Board must make a written finding at an open meeting describing the specific adverse health or safety impact of the violation. (Civil Code Section 5850(d)(2).)*

***The Board may impose continuing fines (i.e., daily, weekly or monthly) for repeated violations not remedied (as outlined in Section III, Paragraph B of this Policy), if not prohibited by Civil Code Section 5850 et seq.*

A. Alternative Remedies

The imposition of fines does not limit the Association's right to pursue other remedies available under law or the governing documents, including but not limited to:

- Seeking injunctive relief in court to stop continuing violations
- Pursuing legal action for damages to common areas or other members' property
- Exercising self-help remedies where permitted by governing documents
- Restricting or denying entry to vendors, contractors, or service providers who repeatedly violate Association rules, regulations, or safety requirements

- Referring matters to appropriate governmental authorities
- Towing of unauthorized or improperly parked vehicles at the owner's expense, in compliance with California Civil Code Section 22658, including applicable signage and notice requirements

B. Reimbursement of Costs

In addition to any fines imposed, members may be required to reimburse the Association for:

- Actual costs incurred to remedy violations (e.g., removal of unauthorized improvements, cleanup costs)
- Costs to repair damage to common areas or other members' property
- Reasonable attorney's fees and costs incurred in enforcement, where permitted by law and governing documents

If a member fails to cure a violation within the specified timeframe, the Association may, at its sole discretion, select and retain a vendor or contractor to remedy the violation on the member's behalf. The member shall be responsible for reimbursing the Association for all reasonable costs incurred, including but not limited to labor, materials, and disposal fees, based on the vendor's charges. Such costs are not subject to negotiation by the member and shall become a monetary obligation of the member to the Association, enforceable through the Association's available legal remedies.

C. Board Discretion

The Board retains discretion to:

- Impose lesser fines than those specified in this schedule based on the specific circumstances
- Issue warnings instead of fines for first-time minor violations
- Consider mitigating factors presented by the member during the hearing process

Failure to pay fines within sixty (60) days may result in legal action to collect said fines. If the Association is forced to retain an attorney to ensure compliance, collect fines, etc., the Owner may be liable for those attorney fees and all related expenses in addition to the fines. Additionally, for any period in which fines remain unpaid, the Association may suspend the owner's RFID access privileges after notice and hearing. The prevailing party in any action shall be entitled to reasonable attorney's fees as outlined further in Section 16.04(d) of the CC&Rs and Civil Code Section 5975.