

## Carriage Run Phase IV Homeowners Association Enforcement Procedures

1. **Reporting Violations:** Complaints concerning violations of the Rules & Regulations or any provision of the Association Documents must be submitted, by the owner, to the Board of Directors or Managing Company, in writing. These can be sent to either the Carriage Run Phase IV email address – [board@carriagerun.org](mailto:board@carriagerun.org), or the USPS address - *Continental Property Mgmt., Suite 202, 975 Easton Road, Warrington PA 18976, Attn: Carriage Run Phase IV*. The complaint must include:
  - a. The name of the owner and their address (and unit address if different), and contact information (email and/or phone number). This information will remain confidential.
  - b. A detailed description of the violation – including date & time, photo (if possible). Sufficient detail must be provided to determine if an actual violation has occurred.
  - c. The unit address of the violation, or vehicle license number and description of the vehicle in violation. If the vehicle's unit address is known, this should be included.

Violations will also be reported via inspections conducted by the Board of Directors, Committees appointed by the Board of Directors, or the Management Company.

2. **Investigation:** When possible, a representative of the Board, or committee reporting to the Board, or the managing company, shall investigate the complaint to determine whether there is a reasonable cause to believe a violation has occurred.
3. **Violation Notices:** If a violation exists, the Association will send a written notice describing the violation to the owner and/or tenant and instruct them to:
  - a. Correct the violation within ten days, or to contact the Board or Mgmt. Co. within ten days as to the plan for remediation.
  - b. If the violation is not a physical violation (e.g.- speeding, excessive noise after hours, etc.), the notification will serve as the first step with the warning & fine process.If the violation is not corrected within the timeframe provided or a second complaint is received, a second written notice will be sent. This notice will also provide a provision for a hearing, if requested by the owner, and will indicate the fine or other penalties, as assessed by the Board of Directors.
4. **Hearing:** Owners have the right to a hearing before the Board of Directors. If a hearing is requested, notice shall be provided to the Association –and a date, time & place will be provided to the unit owner.
5. **Fines & Penalties:** If an owner or legal tenant does not comply with the initial notice, the Board of Directors will impose fines and/or penalties. The penalties could include loss of Association privileges. Depending upon the seriousness of the violation, the fine assessed could be enacted for each incident or violation, as detailed in the fine guidelines.

6. **Non Compliance:** In the event that an owner or legal tenant does not comply with the violation notice, and/or does not pay the amount assessed by the Association, the Board of Directors may file legal action against the owner for the collection of the fines and compliance with the Association's documents. Any expense associated with legal action and the collection of fines

assessed, including court cost, attorney fees, etc. which may be incurred by the Association, shall be added to the complaint and becomes the responsibility of the owner to pay. If a judgement awarded by the court remains unpaid, the Board of Directors may place a lien for the amount of the judgement plus costs, against the owner's property.

7. **Maintenance of Property:** Each owner shall keep their respective lot(s) and all improvements therein or thereon, in good order and repair, and free of debris, all in a manner and with such frequency as is consistent with good property management. In the event that an owner of any lot in the property shall fail to maintain the premises and the improvements situated thereon, as provided herein, the Association, after notice to the owner as provided in the By-Laws and approved by two-thirds of the Board of Directors, shall have the right to enter upon said lot to correct drainage and repair, maintain, and/or restore the lot and exterior of the buildings and other improvements erected thereon. All costs associated to such correction, repair or restoration shall become a special assessment upon such lot.

#### **Procedure for Fines**

The Board of Directors have adopted the following procedure for fines, for the enforcement of the Rules, Regulations & Association Documents

1. **FIRST OFFENSE:** A warning letter will be issued via USPS regular mail to the offending owner. The owner will be given 10 days to respond to warning, or rectify the violation.
2. **SECOND OFFENSE:** If there is a second offense for the same violation or the violation was not corrected within 10 days of the first mailing, a second letter will be sent via certified USPS mail with a \$25 fine plus costs.
3. **THIRD OFFENSE:** If there is a third offense for the same violation or the violation was not corrected within 10 days of the second mailing, a third letter will be sent via certified USPS mail with a \$50 fine plus costs.
4. **FOURTH OFFENSE:** If there is a fourth offense for the same violation or the violation was not corrected within 10 days of the third mailing, a fourth letter will be sent via certified USPS mail with a \$100 fine plus costs.
5. **FIFTH OFFENSE & SUBSEQUENT OFFENSES:** If there is a fifth or subsequent offense for the same violation or the violation was not corrected within 10 days of the fourth mailing, a fifth and final letter will be sent via certified USPS mail with a \$200 fine plus costs. If the violation is of a continuing nature, a fine of \$10 per calendar day will be assessed, starting 5 days after the fifth letter was mailed.

The above schedule of fines is cumulative.

In addition to the above fine schedule, the Board of Directors reserve the right to assign fines for any violation of the Rules & Regulations or any provision of the Association Documents, on an ad-hoc basis, for both amount & timing.

**APPEAL PROCEDURE:**

In the event the owner chooses to appeal a violation notice, they must submit a letter in writing to the Property Management Company. The letter should contain any and all information to counter the violation claim and explain any special circumstances that would constitute a reasonable explanation for a violation

Upon receipt of a letter of appeal, the Management Company will suspend the fine procedure until the Board of Directors is notified and able to review the appeal. If the appeal is found to be valid, all actions against the owner will cease and the owner / resident will be notified that the appeal was accepted. If the appeal is denied, the resident will be sent a letter of denial, via USPS certified mail and the fine procedure will resume.

Document created: 15 JUNE 2016

Document ratified: 20 JUNE 2016