

Arbor Rose Community Association

Enforcement Policy

A. Publication of Policies and Requirements

1. Every homeowner should get a copy of the Declaration, Bylaws, Policies and Requirements at settlement.
2. If a homeowner needs a copy of any document, policy, guideline, etc. they can download them on the community website, www.arborrosestates.com, or contact the property manager.

B. Original Warning

1. If a homeowner violates any portion of the Declaration or any of the Policies, Requirements and/or Guidelines, the property manager will send the homeowner a warning by mail and/or email.
2. For any ongoing violation (such as failing to maintain a yard, failing to maintain the exterior of a home, having an unapproved structure or sign in the yard, etc.) the homeowner will have fifteen (15) days to correct the violation.
3. For any violation that is a single occurrence (such as a noise violation, pet violation, etc.), the homeowner will receive a warning that a repeat of the action in the next twelve (12) months will be a violation.

C. Notice of Violation

1. If a homeowner fails to correct an ongoing violation in fifteen (15) days or commits another single occurrence of the same violation within twelve (12) months after being warned, the homeowner will receive a Notice of Violation.
2. The Notice of Violation will state the provision of the Declaration, Policy or Requirement that have been violated and the amount of the fine that has been assessed to their account.

D. Opportunity to Dispute Violation

1. If a homeowner disputes that he or she has violated the Declaration, Policy or Requirement, the homeowner must notify the property manager or Board *in writing* within ten (10) days of receiving the Violation Warning or Notice. Failure to do so within ten (10) days will waive the ability to dispute the Violation. The homeowner only needs to state in writing that they wish to dispute the violation and would like the opportunity to be heard by the Board.
2. The Board will schedule a special meeting with the homeowner at a time and date agreeable to all parties.
3. The homeowner will present his or her case to the Board.
4. Failure to appear at the scheduled meeting will waive the ability to dispute the violation.
5. The Board may hold the remainder of its meeting in private.
6. The board will tell the homeowner of its decision either verbally at the meeting or in writing within ten (10) days.
7. The homeowner and/or Board may have an attorney present at the meeting.

E. Fines

1. If the Board determines that the Notice of Violation was not proper, there will be no fines.
2. If the Board determines that the Notice of Violation was correct, the fines for the violation will begin from the date on the Notice of Violation.
3. For any continuing violation, the fines will be as follows until the violation is resolved:
 - a. Original fine will be \$50.
 - b. On the first day of the next calendar month (unless the Notice of Violation was given in the last five (5) days of the month), an additional fine of \$100 will be assessed.
 - c. On the first day of any following calendar month, an additional \$200 will be assessed.
4. For any single occurrence violation, fines will be as follows:
 - a. The first re-occurrence within twelve (12) months will be \$50.
 - b. The second and any additional occurrences will be \$100.
 - c. Until twelve (12) months pass between violations, each new occurrence will result in a Notice of Violation, not a Warning.
5. Additional fines may be assessed if the violation causes damage to common areas reflecting the costs for replacement or repair of the damage.

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F. Fines as Liens against Home/Property

1. All fines will be assessed against the home or homeowner's property. Collection will be at the discretion of the board, including legal action.
2. The costs of collecting fines, such as court costs and attorney's fees will be assessed against the homeowner.

G. Board Discretion

1. The Board may decide if a homeowner has violated any portion of the Declaration or any of the Policies or Requirements and if a warning is warranted.
2. The Board may decide to waive a violation fine for good cause.
3. Any waiver of a fine in one circumstance does not preclude the Board from enforcing the Declaration, Policies, or Requirements or imposing a fine in the future.
4. Because the enforcement of the Declaration, Policies and Requirements is the responsibility of the Board and is in the best interests of the Community, if a Board member has a conflict of interest if he or she may benefit from the decision being made, he or she must abstain from decision making regarding that particular violation.



William Weber, ARCA President



Jason Lawrence, ARCA Secretary