

Old Iron Estates Home Owners Association

Violation Policy and Fine Schedule

The Old Iron Estates Homeowner's Association has established the following Violation Policy and Fine Schedule for Bylaw and CC&R violations, enforcement, and any applicable monetary penalties for continued violations.

First Notice

A Courtesy Warning Letter will be delivered to the Owner of the property outlining the violation and, if appropriate, given a time frame for compliance. The Courtesy Warning Letter may be sent via email, regular or certified mail. Should a period of one year lapse between violation letters of the same offense, the next letter will be a First Notice again.

Assessment of Initial Monetary Penalty:

The Association will assess a monetary penalty according to the Fine Schedule if the Owner has not corrected or removed the violation, or the violation has been repeated within the time frame of the First Notice. All penalty notices may be sent via email, regular or certified mail. The certified fee is the responsibility of the homeowner and will be added to the penalty.

Assessment of Additional Monetary Penalties:

After the imposition of the Initial Penalty, additional penalties may be imposed upon subsequent inspections if the Owner has not corrected the violation or the violation is repeated. Additional monetary penalties will be imposed after inspections have been conducted to coincide with the terms of the notices.

Exception of Notice Procedure:

Violations posing a threat to the health, safety, and/or welfare of the community as a whole or any one or more other Owners may require immediate action and thus create exceptions to the foregoing notice provisions. Examples of health, safety, and welfare violations include, but are not limited to, the following: accumulation of trash and/or other materials that may attract pests; threat of flood or fire damage to neighboring properties; or a collapsed structure or tree blocking the road or drivers' lines of vision.

Right of Self-Help:

The Old Iron Estates Homeowner's Association has the right (but not the obligation) to enter the Owner's property and to provide all maintenance and repairs that are necessary to remove the violation. Entry by the Association and any of its agents is not an actionable trespass. The Association may assess the Owner for the costs of all maintenance and repairs performed by the Association. The Association may seek to recover reasonable attorney fees and court costs associated with any penalties or damages assessed.

Opportunity to be Heard:

The Association recognizes each Owner's right to explain the reasons why there is a violation of the Bylaws or CC&R, particularly if the violation results in a monetary penalty. An Owner has the opportunity to request a hearing before the Board of Directors. The Owner must provide a written request for a hearing within fifteen days of the date of the Courtesy Warning Letter. The request may be made via email (OldIronEstatesHOA@gmail.com), mail, or certified mail (Old Iron Estates Homeowner's Association, PO Box 6431, Harrisburg PA 17112-6431). Upon receiving written notice, the Board will schedule a hearing at the next scheduled monthly Board meeting. The contest will be subject to a Board vote. Failure to appear will result in an automatic denial of the contest. Following the hearing, a formal Notice of Decision will be sent to the Owner via email, mail, or certified mail. If the Board denies the contest, the violation must be corrected and fines paid as per the Fine Schedule.

Payment of Fines

Fines are due when imposed and are deemed delinquent if not paid within fifteen days. A \$25 insufficient fund fee will be charged for returned checks. The Association may commence a lawsuit to compel payment of delinquent fines and to recover attorney's fees and costs of enforcement.

Liens

The Association may secure recovery of any fines imposed and the costs of enforcement by recordation of a lien.

Old Iron Estates Homeowner's Association Violation Fine Schedule

1. Property alterations and/or improvements made without ARC approval:
 - A. First notice: Courtesy Warning Letter (10 day compliance unless otherwise stated in Letter)
 - B. Second notice for same violation: \$100 (30 day compliance unless otherwise stated)
 - C. All subsequent notices for same violation: \$100 (monthly)

2. Repair and upkeep of property:
 - A. First notice: Courtesy Warning Letter (10 day compliance unless otherwise stated in Letter))
 - B. Second notice for same violation: \$25 (30 day compliance unless otherwise stated)
 - C. Third notice for same violation: \$50 (30 day compliance unless otherwise stated)
 - D. All subsequent notices for same violation: \$100 (monthly)

3. Parking violations in excess of one week (including, but not limited to, storing any commercial vehicles, unregistered vehicles, motorized off-road vehicles, boats, campers, recreational vehicles, trailers of any type, or mobile homes, parking on unpaved surfaces, and overnight parking on streets):
 - A. First notice within twelve consecutive months: Courtesy Warning Letter
 - B. Second notice within twelve consecutive months: \$10 each
 - C. All subsequent notices within twelve consecutive months: \$25 each

4. All other minor violations (those involving only the homeowner):
 - A. First notice within twelve consecutive months: Courtesy Warning Letter (will include time limits for correction of violation, if appropriate)
 - B. Second notice within twelve consecutive months: \$10
 - C. All subsequent notices within twelve consecutive months: \$25 each

5. All other significant violations (those affecting the safety or aesthetics of the community):
 - A. First notice: Courtesy Warning Letter (will include time limits for correction of violation, if appropriate)
 - B. Second notice within twelve consecutive months: \$25
 - C. 3rd and 4th notices within twelve consecutive months: \$50 each
 - D. Subsequent notices within twelve consecutive months: \$100 each