

RESOLUTION
COCONUT GROVE COURT OWNERS ASSOCIATION
POLICY RESOLUTION NUMBER 2022-04

VIOLATION ENFORCEMENT POLICY

WHEREAS Article III, Section 3 of the Coconut Grove Court Owners Association (Association) Covenants, Conditions, and Restrictions (CC&R) grants the Board of Directors (Board) the authority to govern and manage the business of the Association; and

WHEREAS Article XI, Section 2 authorizes the Board to amend the Declaration by three-fourths (3/4) vote of the Board, provided that Article VIII, Section I not be changed without a vote of seventy-five (75%) percent of the members of the Association; and

WHEREAS the Board is charged with the duty to enforce the rules and regulations of the governing documents of the Association. This impliedly authorizes the Board to compel compliance with those rules by imposing monetary penalties.

FURTHERMORE, absent sufficient volunteers within our Association to serve on the Board of Directors, three (3) homeowners in good standing with the Association may enforce the rules and regulations of the governing documents of the Association and compel compliance with those rules by imposing monetary penalties.

FURTHERMORE, all fines will be levied in accordance with the Association's Policy outlined below and distributed to all members. Since membership in the Association is mandatory and not voluntary, all homeowners shall comply.

NOW, THEREFORE, BE IT RESOLVED that:

1: The Board of Directors hereby establishes the Violation Enforcement Policy of the Coconut Grove Court Owners Association as fully set forth in **EXHIBIT A**, attached hereto, and made a part thereof.

2: Any member of the Board of Directors for the Association is hereby directed to have these rules printed immediately for distribution, record them in the appropriate book of resolutions, and give notice to all homeowners with the date when the rules or changes therein shall go into operation.

3. Any member of the Board of Directors of the Association is hereby directed to post this resolution and a copy of the rules and regulations on the Coconut Grove Court Owners Association website at coconutgrovecourt.com.

4: Beginning **January 1, 2023**, the Association will exercise its fiduciary duty to enforce, by any proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens, and charges now or hereafter imposed by the provisions set forth in this Resolution.

COCONUT GROVE COURT OWNERS ASSOCIATION, INC.

POLICY RESOLUTION NUMBER: 2022-04

Resolution Type: Policy

Pertaining to: Violations Enforcement Policy

Duly adopted by the Board of Directors on November 30, 2022

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Maxine Vaccarella</u> Maxine Vaccarella, President	✓	_____	_____	_____
<u>Melanie Granados</u> Melanie Granados, Treasurer	✓	_____	_____	_____
<u>Kristen Romero</u> Kristen Romero, Secretary	✓	_____	_____	_____
<u>Michael Vaccarella</u> Michael Vaccarella, Member at Large	✓	_____	_____	_____
<u>Kent Kerne</u> Kent Kerne, Member at Large	✓	_____	_____	_____

EXHIBIT A

Violation Enforcement Policy

INTRODUCTION

The guiding principles of the Coconut Grove Court Owners Association (Association) are to foster a pleasing and wholesome residential environment and strive to maintain and enhance property values within our community. We believe that our residents are good neighbors who do not knowingly violate the Association's Rules and Regulations. In that spirit, we wish to encourage compliance, not punishment.

In order to achieve these principles, the Board has adopted the following Violation Enforcement Policy for the use and good of the Association. The Violation Enforcement Policy will be enforced by the Board, but any homeowner may address violations and concerns with any other homeowner directly. The Board encourages direct communication between homeowners in violation to resolve concerns prior to engaging the Board. If the violation is not resolved, any homeowner may report violations in writing to (P.O. Box 80394, Lafayette, LA 70598) or by email (coconutgrovecourt@gmail.com) for review without their identity being divulged beyond the Board. The Board will use independent confirmation of complaints to ensure fairness in assessing the validity of complaints and potential fines.

This Violation Enforcement Policy does not replace the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and By-Laws, which remain the ultimate governing laws of our Association. This document is being distributed to all homeowners to establish a baseline for conformance. NOTE: All homeowners should have received a set of CC&Rs. However, a copy of our governing documents can also be found at www.coconutgrovecourt.com.

FINES

All fines will be assessed by the Board of Directors and will be added to the homeowner's assessment account. The following schedule will apply to homeowners found violating our Rules and Regulations, including any and all Policy Resolutions enacted by the Board:

NOTICE	VIOLATION NOTICE	FINE OR ACTION
1 st Notice	Courtesy Communication	No fine – The communication will either be posted on the homeowner's door, sent via regular mail, email, text message, or phone call
2 nd Notice	Warning	Sent via Certified Mail, email, text message, or phone call
3 rd Notice	Fine	Fine \$25.00
4 th plus Notice	Fine	Fine \$50.00

We live in a very compact community, and space is at a premium. Due to the close proximity of our homes, certain violations must be remedied in a shorter period of time. If the violation pertains to any of the Rules and Regulations stated in **ARTICLE VIII Sections 2, 3, 8, 9, 15, and/or 19** of the

Association's governing documents, including Policy Resolution Number: 2022-03, the letter will provide **seven (7) days** to correct the violation. If not corrected, the Board will have the authority to have a contractor enter the property and perform the maintenance or repair at the homeowner's expense.

The first notice is a courtesy letter either posted on the homeowner's front door, sent via regular mail, or other communication means.

The second notice will be sent via certified mail or other communication means and will warn of a fine if the violation is not cured within a reasonable amount of time.

The third notice with the fine will be sent via certified mail or other communication means and will warn of another fine if the violation is not cured within a reasonable amount of time. Homeowners, their dependents, or guests accused of any violation may refute the fines through a hearing with the Association's Board.

The fourth notice (and any additional violations during the 12-month period) with the fine will be sent via certified mail or other communication means and will warn of another fine if the violation is not cured within a reasonable amount of time. Homeowners, their dependents, or guests accused of any violation may refute the fines through a hearing with the Association's Board.

Homeowners unable to correct the violation within seven (7) days may submit a plan for correction to the Board of Directors for consideration. All responses should include an update on what is being done to correct the problem, or an appeal to the violation must be submitted in writing or by email. The procedures set forth above shall in no way preclude the Board from pursuing any other remedies available under the Association's governing documents or under applicable law with regard to the enforcement of the Association's governing documents.

EXCEPTION. If any action violates **Article VIII, Section 14** of Policy Resolution Number: 2022-03, the Board or any homeowner is authorized to take **immediate and appropriate action** to remedy the violation.

EXCEPTION. Any provisions outlined in the CC&R, **Article VI, Maintenance & Repairs**, which addresses structural maintenance such as painting, repairing, replacing, and caring for roofs, gutters, downspouts, exterior building surfaces, and other exterior improvements. This provision provides sixty (60) days for maintenance, replacements, or repair.

Homeowners unable to correct the violation within sixty (60) days may submit a plan for correction to the Board of Directors for consideration. All responses should include an update on what is being done to correct the problem, or an appeal to the violation must be submitted in writing to P.O. Box 80394, Lafayette, LA 70598, or by email at coconutgrovecourt@gmail.com. The procedures set forth above shall in no way preclude the Board from pursuing any other remedies available under the Association's governing documents or under applicable law with regard to the enforcement of the Association's governing documents.