

**THE HILLS OF BOGIE LAKE ASSOCIATION
FINE POLICY AND APPEAL PROCESS
Effective October 25, 2016**

FINE POLICY

Pursuant to Article XXI Section 2 of the Bylaws within the Master Deed, the Association shall have the right to adopt a schedule of fines for violation of any provision of the Condominium Documents. The following Fine Policy and Appeal Process shall be followed for The Hills of Bogie Lake Association:

FIRST NOTICE: An initial notice of the violation shall be mailed to the Co-Owner requesting compliance within ten (10) days - **NO FINE**. The offending Co-Owner shall have an opportunity to appear before the Board and offer evidence in defense of the alleged violation. The appearance before the Board shall be at its next scheduled meeting but in no event shall the Co-Owner be required to appear less than ten (10) days from the date of the Notice.

SECOND NOTICE: If violation still exists ten (10) days after the initial notice of violation, a second notice requesting compliance within ten (10) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the second notice of violation and is due immediately.

THIRD NOTICE: If violation still exists ten (10) days after the second notice of violation, a third notice requesting compliance within ten (10) days shall be mailed to the Co-Owner. A **\$100.00 FINE** will be assessed with the third notice of violation and is due immediately.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice of violation, a **FINE of \$150.00** shall be assessed **every ten (10) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, the cost of which shall be invoiced to the Co-Owner and collected in the same manner as assessments.

FINES: No fine shall be imposed without first providing a written warning to the Co-Owner describing the violation and stating that failure to correct the violation within ten (10) days or ***another occurrence of the same violation within three (3) months*** of the original violation shall make the Co-Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Co-Owner to the same potential penalties and enforcement as failure to pay any assessments under the Declaration.

SELF HELP: Pursuant to Article VI. Section 2.b.6. of the Bylaws within the Master Deed Each Unit must be landscaped in accordance with the approved landscaping plan within the time limits set for in subsection 2A (2)(c) of this Article ("Landscaping shall be installed within ninety (90) days of closing, unless the closing is held between October 1 and March 31; in which case all landscaping must be installed during the following months of May or June"). The landscaping plan shall indicate that the entire Unit shall have sod installed. Seed lawns shall not be permitted. The reasonable value of the landscaping plan to be approved by the Developer pursuant to subsection 2A of this

Article shall not be less than six thousand five hundred (\$6,500.00) dollars, exclusive of the cost of the sprinkler/irrigation system. The Developer shall have the right to determine the reasonable value of the landscaping. After landscaping has been installed, the Co-owner shall maintain the same in a good and slightly condition consistent with the approved landscaping plan. If the Co-owner fails to install the approved landscaping in a timely manner or in accordance with the approved landscaping plan, the Developer shall have the right (but not the obligation) to complete or correct such landscaping and to use the escrowed funds to pay for the cost thereof, plus the Developer shall be entitled to reimbursement from the Co-owner and to receive from the Co-owner an administrative fee in the amount of fifteen (15%) percent of the cost of the work performed. The Co-owner shall be required to pay such amounts due to the Developer within ten (10) days of mailing a written invoice, plus interest in the amount of seven (7%) percent per annum. If the Co-owner fails to pay all amounts invoiced within such ten (10) day period, such amounts shall constitute an unpaid assessment and the Developer shall have the right to record and foreclose a lien against the Unit and/or to commence legal proceedings to collect such amounts due in the same manner as set forth in these Bylaws for the collection of unpaid assessments. To the extent that the deposit earns interest, the interest will be paid to the Co-owner at such time as the landscaping of the Unit has been completed pursuant to the approved landscaping plan, provided, if the Developer completes such landscaping, any such interests shall be available to the Developer to pay for such work.

Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.

APPEAL PROCESS

- When a violation notice is sent to a Co-Owner, such notice shall include a statement notifying the Co-Owner that he/she has the "RIGHT OF APPEAL."
- When a Co-Owner desires to appeal a violation, he/she must so notify the Management Company in writing within ten (10) days after the date of the violation notice.
- Appeals shall demonstrate ***extenuating circumstances*** which require deviation from the Governing Documents.
- Appeal shall include all pertinent backup information to support the existence of the ***extenuating circumstance***.
- The Co-Owner appealing the violation will be given written notice that the appeal has been received and it will be reviewed by the Board.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered ***DENIED***.
- All decisions of the Board are final and may not be further appealed.

- If the appeal is denied, the Co-Owner must bring the violation into compliance within ten (10) days. If the violation still exists after ten (10) days, the Co-Owner will be fined \$150.00 every ten (10) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Co-Owner and collected in the same manner as assessments.

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
THE HILLS OF BOGIE LAKE ASSOCIATION**

c/o AAM, LLC
850 W. University Drive, Suite A
Rochester, MI 48307
(248) 382-4001

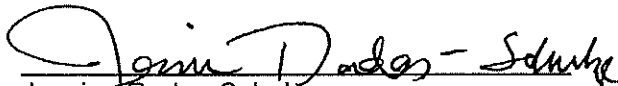
FINE POLICY AND APPEAL PROCESS

The undersigned, constituting all of the members of the Board of Directors of The Hills of Bogie Lake Association, a Michigan nonprofit corporation, hereby take the following actions in writing pursuant to Article XII Section 3 of the Bylaws within the Master Deed which states "The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Association and may do all acts and things as are not prohibited by the Condominium Documents or required thereby to be exercised and done by the Co-Owners. Any action required by the Condominium documents to be done by the Association shall be performed by action of the Board of Directors unless specifically required to be done by, or with the approval of the Co-Owners.

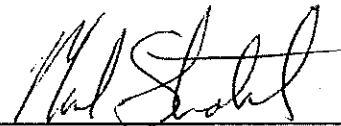
RESOLVED, that the Board of Directors hereby approves the Fine Policy and Appeal Process for The Hills of Bogie Lake Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Fine Policy and Appeal Process effective as of October 25, 2016.

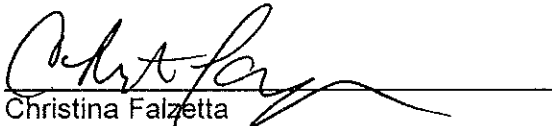
IN WITNESS WHEREOF, the undersigned have executed this consent as of this 25 day of OCTOBER, 2016.



Jessica Dadas-Schulze
President and Director, Board of Directors



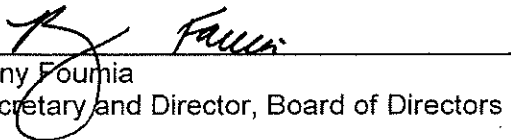
Mark Strobel
Director, Board of Directors



Christina Falzetta
Vice President and Director, Board of Directors



Keith Rogers
Developer Seat, Board of Directors



Rony Fournia
Secretary and Director, Board of Directors