



COMPLAINT, FINE, AND APPEALS PROCEDURE

- 1) Courtesy Notice (Optional): Upon receiving a complaint, or observing a violation of the Restrictions and Covenants, and/or a policy of the Architectural Control Committee (ACC) and/or the Architectural Design Requirements, the ACC may send a Courtesy Notice by email or mail that will:
 - a) Notify the Lot owner of the alleged violation;
 - b) Cite the authority of the violation;
 - c) Request the Lot owner correct the violation within 10 days; and
 - d) Request the Lot owner report the corrective action taken or indicate why no violation is believed to exist.
- 2) Enforcement under Covenants and Restrictions Section 18 (Required): If the violation continues 10 days after the optional Courtesy Notice is sent (or no Courtesy Note was sent) the ACC will mail a Demand to "Cease and Desist" informing the Lot owner of:
 - a) The violation;
 - b) The action required to correct the violation; and
 - c) The period of time (10 days after the Demand is mailed) by which the violation shall be corrected before a fine is imposed, and, if applicable, a statement that any further violation of the same rule may result in an Imposition of a fine or other sanction beginning on Day 1 of the violation.
- 3) Notice of Sanction under Covenants and Restrictions Section 18 (Required): If the violation continues or is repeated past the period allowed in the demand, or if the same rule is violated after said period, the ACC will mail a Notice of Sanction informing the Lot owner of:
 - a) The date and a description of the continued or repeated violation;
 - b) The fine or sanction;
 - c) The date the fine will fall due (which shall not be before 10 days after the Notice of Sanction) and if unpaid, the debt will be secured with a lien on the property;
 - d) The condition under which further and/or increased fines will result or accrue without further notice for the same violation; and
 - e) The Lot owner's right to appeal the Notice of Sanction to the Board of Directors (BOD) using the procedure in paragraph 7 below. An appeal will not delay the date the fine comes due but could, at the BOD's discretion, resulting in an overturning or modification of the sanction.



- 4) Fines will be imposed on violations as follows, with the "first violation" or the first day of a per day fine being a violation described in the Notice of Sanction above:
 - a) Parking on the lawn or sidewalk: first violation \$10 per day, second violation \$25 per day, third and subsequent violations \$50 per day.
 - b) Failure to store boats, trailers, campers, RV's, work trucks over a 1-ton classification, other recreational vehicles, or unlicensed vehicle on the property behind an enclosed fence for over 48 hours: first violation \$25 per day, second violation \$50 per day, third and subsequent violations \$100 per day.
 - c) Failure to maintain property in in such a manner as to prevent their becoming unsightly by reason of weeds, underbrush, or unattractive growth on such lots: first violation \$10 per day, second violation \$20 per day, third and subsequent violations \$30 per day. After 10 days of the mailing of the Demand to the Lot owner expires, the HOA BOD may elect to enter the property with such services as to rectify the violation(s) as covered in Section 6 under "Nuisances" of the R&C's.
 - d) Failure to store garbage cans and/or rubbish or recycle containers behind fence or in backyard: first violation \$10 per day, second violation \$25 per day, third and subsequent violations \$50 per day.
 - e) Failure to obtain ACC approval on any Lot improvement: \$500 for each violation and possible removal of improvement at the discretion of the ACC.
 - f) Signs violating the provisions of Section 11 of the R&C's: first violation \$10 per day, second violation \$25 per day, third and subsequent violations \$50 per day.
 - g) Fines for violations other than those noted above may be imposed by the ACC.
- 5) Failure to correct a violation within 10 days of the Demand mailing will be considered an additional violation for the purpose of imposing fines.
- 6) Lot owners who accrue fines totaling \$500 or more and are over 30 days past due shall have their fines turned over to the Canterbury Place HOA's attorney for filing a lawsuit for injunctive relief and damages. The offending Lot owner will be billed for all resulting legal fees incurred by the HOA. Accounts with an outstanding balance over 90 days will have a Lien placed on their property.



- 7) Any Lot owner who has been found in violation of the R&C's and feels that the alleged violation is unjust, has the right to appeal the decision to the Canterbury Place HOA BOD utilizing the following procedure:
- a) The Property owner submits a written appeal along with the basis for the appeal to the ACC.
 - b) The ACC provides each of the Directors on the BOD a copy of the Property owner's written appeal along with the ACC's position regarding the violation being appealed.
 - c) The BOD hears the appeal under New Business at the next BOD meeting.
 - d) After the BOD discusses the appeal, should any Director wish to overturn the violation, a motion should be made as such, requiring a second of the motion.
 - e) With a motion to overturn the violation and a second, the BOD renders a decision through a vote.
 - f) Should no Director wish to overturn the violation, and no motion is voiced as such, then the violation shall stand.
 - g) The ACC notifies the Property owner in writing of the BOD's decision and provides a copy of the notification to the HOA secretary for documentation records.

THE ABOVE IS CONSISTENT WITH THE BYLAW ARTICLE 2 PARAGRAPH 14 AS AMENDED AND BOARD/ACC POLICIES AND PROCEDURES. THIS PROCEDURE IS NOT INTENDED TO LIMIT THE USE BY THE ASSOCIATION OF ANY OTHER REMEDIES OR ENFORCEMENT PROCEDURES OTHERWISE AVAILABLE UNDER THE DECLARATION OF COVENANTS, AND RESTRICTIONS; THE BYLAWS OR APPLICABLE LAW.