

**DELINE HOMEOWNERS ASSOCIATION
COMPLIANCE VIOLATION REMEDIES AND
FORMAL ENFORCEMENT PROCEDURES**

WHEREAS the Deline Homeowners Association Board of Directors (“Board”) is empowered by statutory law [ORS 94.630 (1) (n)], and the Association documents including the Declaration of CC&R's and any amendment thereto (“CC&Rs”), to assess financial charges and other penalties against individual Members as defined in the By-laws of Deline Homeowner’s Association, Inc. in order to remedy determinations by the board of non-monetary violations of the CC&Rs by those Members of the Homeowners Association.

BE IT THEREFORE RESOLVED that the Deline Homeowners Association Board of Directors does hereby adopt the following procedures, fine assessments and actions with regard to non-monetary violations of the CC&Rs as determined by the Board:

Direct Resolution. Any Member who believes that a Member is in violation of any of the Deline Homeowners Association policies, guidelines or CC&R’s (hereafter referred to as “the Rules”) is encouraged to first approach the Member about the matter while it is occurring or shortly thereafter. Most violations are believed to be unintentional and can be easily resolved in this fashion.

HOA Board Intervention. Should a Member feel uncomfortable in utilizing Direct Resolution with a fellow Member, the Member can contact the Board about the situation in writing, which can be in the form of an e-mail to delinehoa@gmail.com. The board shall review the matter and determine if there is a violation of the Rules. If the Board determines that there is a violation, the Board will then initiate contact with the offending Member, notifying the Member of the problem, offering assistance and information to help resolve the situation and attempt resolution of the situation while keeping the reporting Member’s identity confidential. If the violation remains unresolved, the Board will send a certified letter informing the member of the violation and a timeframe for correcting said violation. Should the violation remain unresolved after this contact, the Board may choose to assess a fine or fines. Notwithstanding any other specific fine provisions within any of the then current board resolutions for the Deline Homeowners Association, the following schedule will apply:

1. At initial contact with the certified letter, the Member will be given notice of the violation and thirty (30) days to correct the situation.
2. If the violation has not been corrected by the thirtieth (30th) day, a fine of \$75 will be assessed to the Member.
3. If the violation has not been corrected within the 30 days, additional fines of \$25 per day may be assessed until the violation is corrected.
4. After 60 days, the Board may correct the violation, but is not obligated to do so. If the Board corrects the situation, the offending Member is responsible for reimbursing all the costs to the Association, and will remain obligated to pay all assessed fines. There is a minimum \$200 charge that will be imposed by the Board for correcting a violation.
5. Any uncorrected violations and/or unpaid fines may result in the Board referring the matter to the Association’s attorney for legal action. This may result in further correspondence, filing liens and notices, collection actions, filing court actions, and pursuing other legal rights and remedies available to the Association. The offending Member will be charged these additional costs incurred by the Association to have the violation resolved.
6. Repeat Violators. Each repeat violation by the same Member shall be fined without further notice when the violation occurs and will not have the thirty (30) day grace period that first time violators are given. The same subsequent procedures will follow until the violation is resolved.

7. Repeat Violations. If after correcting the said violation the same violation occurs within 180 days of the Board, the same fine or fines will begin to be assessed against the Member. A certified letter will be sent to the Member notifying them of the fine or fines.
8. Appeal. If the Member does not agree with the determination of violation as stated in the Violation Notice, the Member may file a written appeal to the Board via first class and certified mail to PO Box 5091, Aloha, OR 97007, along with supporting documentation, as to why the Member's position that the Member is not in violation of the Rules or is entitled to an exemption of the stated Rule and submit the appeal to the Board. The board will provide the appeal to the Committee handling the violation and will first review the appeal and issue an opinion of determination. If the Member is not satisfied with the opinion of determination of the Committee of this Appeal, the member may then submit an Appeal to the Board who shall make a final decision within 30 days.
9. Neighbor Mediation Programs. Nothing in this document of Procedures shall prevent any Members from agreeing to submission of their dispute to any city or county neighbor mediation program which will be provided with the operative documents of the Association by the Members and such mediation will be binding on the Members.

This resolution was passed by a 75% majority of the quorum of the members of the Deline Homeowners Association at the member meeting held on this day _____ of _____, 20 ____

President

Secretary

Name (Print)

Name (Print)