

**Fletcher Hills Highlands Association**  
**Fine Schedule (Adopted TBD 2026)**

The Association has the right to enforce the Association's Governing Documents pursuant to the CC&Rs. This right includes, but is not limited to, requesting the violator to cease the offending action, suspending the Owner's membership rights, fining the Owner, and taking legal action against the Owner. Once the Board of Directors is aware of a violation, the Board will investigate the allegation and may take appropriate action against the Owner. However, nothing in this section obligates or requires the Board of Directors to take any action or discipline against an individual Member.

This Fine Schedule has been modified to account for the legislature's adoption of AB 130 on June 30, 2025. The violations have been effectively divided into two types – those that do not implicate health / safety violations and those that do. There may be other examples of health / safety issues that are not listed herein that the Board may still pursue after making a written finding at an open Board meeting specifying the adverse health / safety impact consistent with the requirements of Civil Code Section 5850.

An Owner shall have the opportunity to cure the violation prior to the hearing. The Board of Directors may not levy an assessment if the Owner cures the violation prior to the hearing or if curing the violation would take longer than the time between the notice and the hearing, and the Owner provides proof of a financial commitment to cure the violation.

Any fines are in addition to any other amounts payable to the Association for costs of repairing damage or reimbursing the Association for other expenses that the Association may incur under the Association Governing Documents, including but not limited to repair or maintenance costs, out of pocket costs, management fees and legal fees. The Association may levy assessments against the owner to recover these amounts from the owner's Association account.

In addition to or in lieu of fines, the Association may pursue Internal Dispute Resolution (C.C. §5900-20), Alternative Dispute Resolution (C.C. § 5925-65), or a lawsuit in the Superior Court. Pursuant to C.C. § 5975, the Association shall be entitled to an award of its legal fees and costs if it is the prevailing party in a governing documents enforcement action.

Fines are not viewed as a means for raising revenue but rather are a mechanism for encouraging compliance with the governing documents for the Association.

Prior to the imposition of any fine or individual reimbursement assessment, the Owner shall be given notice and an opportunity to appear in person or in writing before the Board of Directors. Due process will be conducted in a manner consistent with Civil Code § 5850 such that 10 days' written notice will be given of any hearing and the Owner will be notified in writing within 14 days after the hearing of the hearing outcome. If the Owner fails to appear for a scheduled hearing, the Board is authorized to make a ruling on the subject and/or assess monetary penalties. The Owner will be notified of the Board's decision in writing.

The Board of Directors may proceed with any of the following to address disciplinary matters:

- A violation letter to be sent to the Owner detailing the violation and requesting correction within 15 days or a longer time period designated by the Board of Directors.
- A warning letter to be sent to the Owner containing this fine schedule and warning of a hearing to be conducted for violations not corrected within 15 days.
- A hearing to be conducted to which the violator will be invited to discuss the violation. Following the hearing the Board of Directors will determine if the owner is subject to discipline and if so, what that discipline should be. The violator will be notified in writing of the hearing result within 14 days.
- Additional hearings may be held if necessary.

After the hearing the Board of Directors may:

- Suspend membership rights, but **not** including an Owner’s voting rights.
- Assess the Owner for all costs and fees incurred by the Association to gain the Owner’s compliance with the governing documents.
- Impose a fine for a single uncorrected violation.
- Proceed with all available legal actions for unpaid fines.

**Schedule:**

1. For each single uncorrected violation (other than Health and/or Safety Violations), the fine shall be up to a maximum of \$100. This fine may be imposed at the hearing or following the hearing during Executive Session. At the Board’s discretion, the fine may go into effect immediately or in most cases, the Member may be given a specified amount of time to correct the violation before the fine goes into effect.
  - a. Fines can exceed the \$100 cap if the violation may have an adverse effect on health and safety of the common area or another Association member’s property.
  - b. Continuing fines for the same violation are not permitted.
  - c. The Association may treat each separate violation as a separate event giving rise to a new fine.

**VIOLATIONS THAT MAY RESULT IN ADVERSE HEALTH OR SAFETY ON THE COMMON AREA OR A MEMBER’S PROPERTY FINE SCHEDULE:**

1. Each single uncorrected violation for Health and/or Safety Violations fine will vary based on the severity and type of the violation. This fine may be imposed at the hearing or following the hearing during Executive Session. At the Board’s discretion, the fine may go into effect immediately or, the Member may be given a specified amount of time to correct the violation before the fine goes into effect.
2. For each single ongoing uncorrected violation, the following fine schedule will apply:

Violation	Fine Amount
<p><b>Short-Term Rentals.</b> The Board finds that intermittent short-term renting a property for less than 30 days poses a safety impact on the community given the increased access to the common areas by third parties that the Association is unable to monitor or control.</p>	<ul style="list-style-type: none"> <li>• \$1000 per violation.</li> </ul>

<p><b>Commercial Use other than Short Term Renting.</b> The Board finds that commercial use of any Member’s property beyond those specifically delineated in the Governing Documents or as provided by California Civil Code pose an adverse health or safety impact on the community, including but not limited to increasing traffic in the community; bringing in unknown third parties for business transactions that increases the potential for crime and accidents in the community; and potential increases to dangerous activities utilized as a part of the commercial use.</p>	<ul style="list-style-type: none"> <li>• \$750 per violation.</li> </ul>
<p><b>Unreasonable Noise.</b> The Board finds that unreasonable noise emanating from an Owner’s property or vehicle can result in adverse mental health impacts to other residents.</p>	<ul style="list-style-type: none"> <li>• \$500 per violation.</li> </ul>
<p><b>Issues not listed but which the Board may pursue after making a written finding at an open Board meeting specifying the adverse health / safety impact consistent with the requirements of Civil Code Section 5850.</b></p>	<ul style="list-style-type: none"> <li>• \$500 per violation.</li> </ul>

3. All legal means may be used by the Association to collect unpaid fines. See below.

**Unpaid Fines:**

All legal means available to the Association may be utilized to collect unpaid fines. These may include:  
 Small claims court. The Association may sue for fines in small claims court where if successful an “abstract of judgment” will be recorded against the Owner’s property. The Board may pursue any legal remedies to obtain payment of the judgment.