

**ROCK CREEK ESTATES HOMEOWNERS ASSOCIATION IN A MEETING OF THE BOARD OF
DIRECTORS IS ADOPTING A RESOLUTION ESTABLISHING THE ASSOCIATION RULES
VIOLATIONS AND FINE SCHEDULE POLICY**

Pursuant to the Washington Nonprofit Corporation Act, the undersigned, being all of the directors of Rock Creek Estates Homeowners Association, a Washington nonprofit corporation (the "Association"), by this instrument in lieu of a meeting of the Board of Directors of the Association, consent to the adoption of the following resolution, pursuant to the authority granted to the Board in Section 3.6 of the Declaration. This resolution supersedes the Fine/Collection Policy resolution adopted by the Board of Directors on October 5, 2007.

WHEREAS, the Board of Directors of the Association (the "Board") is charged with the responsibility of enforcing the regulations of the Association, pursuant to and in accordance with the terms of that certain Declaration of Covenants, Conditions and Restrictions for the Plat of Rock Creek Estates and recorded in the Official Records of Snohomish County, Washington under Recording No. 201308020420 (as amended, the "Declaration", and with ant capitalized terms used but not defined herein having the meanings ascribed to them in the Declaration); and

WHEREAS, from time to time Owners fail to comply with the rules and regulations of the Association or its Community-Wide Standards (collectively, including the rules and procedures established by this instrument, the "Rules"; and

WHEREAS, the Board deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for ensuring compliance with the Rules.

1. Board and/or Management Agent Authority: The Board or any Management Agent hired by the Board is hereby authorized and directed to implement and enforce, on behalf of the Association, all of its rules and actions established by this instrument or otherwise. Except as otherwise specifically set forth herein, the Management Agent shall be the sole representative of the Association with respect to the subject matter of this instrument, and Owners shall deal exclusively with the Management Agent with respect to such matters. In the event of any termination of Management Agent, the Board shall fulfill the obligations of the Management Agent stated herein.
2. Late Fees for Unpaid Dues: Dues are dues annually on the 1st of March and considered late after the 15th of March. A late fee of \$25.00 will be added to all accounts that have not paid their dues on or before March 15th of each year and will continue to be added each month the payment is not made. In addition, after 90 days of non-payment of the annual dues an adjusting Lien will be recorded with the county. The balance on the lien will include all charges on the account at the time of filing to include the cost of filing and release of the lien, and any fees incurred after the filing of the lien until the date that the balance is paid in full and the lien released.
3. Cause for Action Regarding Violation of Rules: The Board may take action regarding any violation of the Declaration or the Rules established pursuant thereto, including without limitation the use restrictions specified within Article 6 of the Declaration if any of the following occur:
 - (a) The Board (or a member of the Board) or the Management Agent directly observes the violation.
 - (b) Two written complaints about a violation have been received by the Board or the Management Agent from two different unit owners within a three (3) month period.
 - (c) The Board, in its sole discretion, determines that action is necessary to benefit the Community.
4. Notices of Violation: The Board may send a Notice of Violation at any time after the occurrence of any of the above. The Board shall not be precluded from taking action due to any length of time the violation has been in existence. Notice of Violation will be issued by the Board or its Management Agent in accordance with the following procedure:

1st Notice:

The Owner and/or occupant shall receive a warning to cure the violation(s) within 10 days of notification. Failure to rectify the violation will result in a 2nd notice.

2nd Notice: Fine

1st offense = \$50; 2nd offense = \$75.00; Subsequent offense(s) = \$100.00

Optional 3rd Notice (in addition to 1st and 2nd notices):

Invoice for reimbursement to HOA for reasonable costs and expenses incurred to rectify violations where the owner fails to take action in a reasonable period of time (as determined at the sole discretion of the Board) and Board deems it in the best interests of the Community.

Example:

Owner and/or occupant fails to rectify poorly maintained landscaping which is visible to others in the community. The Board or its Management Agent may contract with a landscaper to restore the landscaping to a condition in keeping with the community.

WITH RESPECT TO CONTINUING VIOLATIONS, EACH DAY ON WHICH A VIOLATION CONTINUES AFTER THE CURE PERIOD HAS LAPSED SHALL BE CONSIDERED A SEPARATE VIOLATION AND MAY BE GROUNDS FOR THE FILING FOR INJUNCTIVE RELIEF OR DAMAGES.

Penalties assessed against an occupant and/or Owner shall be collectable as delinquent assessments.

Fines will be payable to Rock Creek Estates Homeowners Association within 10 days of notification: a late fee of \$10.00 per month will be assessed against an occupant and/or Owner for late fine payments.

As used in these Rules, "occupant" means anyone who occupies a home, or has the right to occupy a home, as a permanent residence or who stays overnight in any home more than fourteen (14) days in any calendar month or more than thirty (30) days per calendar year.

5. ACC Guidelines: The Rock Creek Estates Board of Directors has an agreement with the Association's landscaping company that they will maintain the street strips throughout the community for uniformity purposes, unless homeowners who abut their street strips would like to maintain them instead. Regarding trimming trees within the street strips in front of your home, the Board of Directors has adopted a community standard and height requirement for trimming trees in the street strips. Per City Rules (Chapters 12.36-12.40) states the following:

- 14 feet above the paved section of the roadway, and
- 7 feet above sidewalks, while maintaining a 1-foot buffer behind the sidewalk areas.

The Board of Directors has also included a tree height restriction of 14 feet.

Please be aware if homeowners would like to maintain their trees within their street strips and they do not follow the community standard and height requirements of the trees above, the Association may send a violation letter and the homeowner may be assessed a fine, or have the Association's landscaper maintain the trees to community standard.

This resolution was adopted by the Board of Directors on May 3, 2023 and shall be effective Thirty (30) days thereafter.

ROCK CREEK ESTATES HOMEOWNERS ASSOCIATION