



TOWNHOMES OF BIENEMAN FARM HOA

NON-COMPLIANCE (VIOLATIONS) POLICY

Approved by Board of Directors 2/21/2024 * Effective 6/1/2024

Authorized under Declarations Article VIII §1

All Owners are responsible for reading and understanding the Declarations, Bylaws, and Rules and Regulations of the Association. Adherence to the rules, regulations, and policies contained therein is crucial to the preservation of our community's respectful and peaceful nature. To emphasize the importance of this, the Board of Directors has adopted the following Non-Compliance Policy

1. Fine Assessment

Fines for all violations of Association Rules, Regulations, and Policies will be assessed as follows:

- a. Owners will generally be given a grace period of 10 days within which time they must correct the violation to avoid the assessment of a fine; however, the grace period may vary depending on the type or severity of the violation. In any event, the grace period granted will be outlined in each Notice sent to the Owner.
- b. All fines will be assessed per unit (not per owner).
- c. Any fine assessed at one point in time will not restrict or limit the rights or remedies of the Board to take further action should the violation continue.
- d. Standard fines for **Rental Unit Registration Policy violations** will be assessed at **\$100 for the first occurrence and \$200 each subsequent occurrence.**
- e. Standard fines for **all other violations** will be assessed at **\$50 for the first occurrence and \$75 for each subsequent occurrence.**
- f. Standard fine amounts noted in this section are subject to change at any time by and at the discretion of the Board of Directors. Any change to fine amounts will be communicated to owners as required by the Association's governing documents.

2. Enforcement Process

- a. **First Notice:** Owner will receive a Courtesy Letter explaining the violation, the time frame in which the violation must be corrected, and a warning that if the violation is not corrected within that time frame a fine will be assessed to the Owner's account. *The Owner is responsible for providing proof to MJF and Associates, Inc that the violation has been corrected.*
- b. **Second Notice:** Owner will receive a Violation Letter explaining the violation, the action required to resolve the violation, the time frame within which the violation must be corrected, and that a fine has been assessed to the Owner's account. *The Owner is responsible for providing proof to MJF and Associates, Inc that the violation has been corrected.*
- c. **Third Notice:** Owner will receive a Violation Letter explaining the violation, the action required to resolve the violation, the time frame within which the violation must be corrected, and that a fine has been assessed to the Owner's account, and that an additional fine equal to double the standard amount has been assessed to the Owner's account. *The Owner is responsible for providing proof to MJF and Associates, Inc that the violation has been corrected.*
- d. **Each subsequent incidence of noncompliance** will result in a written notice and a fine equal to double the standard amount. *The Owner is responsible for providing proof to MJF and Associates, Inc that the violation has been corrected.*
- e. **Violations that immediately threaten the health or safety of residents or that constitute criminal activity** will be dealt with swiftly and local law enforcement will be notified if deemed appropriate by the Board.

3. Owner's Right to a Hearing

If an Owner wishes to have a hearing before the Board to contest a warning, violation, fine, or assessment they must submit a written request to the Board within ten (10) days of the date of the last notification letter.

- a. If the board receives a timely request, it will schedule a hearing date and notify the owner of the time and place of the hearing.
- b. If a timely written request is not submitted, the Owner's right to a hearing will be waived and the fine will be assessed to the Owner's account.

PLEASE BE ADVISED that the Board reserves the right to levy additional charges to an Owner's account to recover the cost of damages or other expenses incurred and may exercise its legal rights and remedies to take further action to remedy the violation. Additionally, the Association may retain a lien against the owner's real estate for any unpaid assessment and will have the right to foreclose its lien if the assessment is not paid.

PROPERTY MANAGEMENT

MJF and Associates, Inc.
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