

Dave's View at Martin's Bluff HOA Rules Enforcement Policy

January 17, 2018

Whereas, the Board of Directors of Dave's View at Martin's Bluff Home Owners Association (HOA) is employed to enforce the Governing Documents, as defined in Washington Chapter 64.38.065 RCW to include: the Bylaws; the Declaration of Covenants, Conditions and Restrictions (CC&Rs); and rules and regulations of the Association pursuant to Article 6, Section 6.3 of the Bylaws and Articles IV, and VI through X, of the CC&Rs.

THEREFORE, BE IT RESOLVED that the Board does hereby adopt the following procedures and policies for the enforcement of the rules and regulations of the Association:

1. Publication of Rules and Regulations. Every Owner should get a copy of the Governing Documents and most current rules and regulations, at time of closing. Owners are responsible for providing tenants with a copy of the rules and regulations with the required lease agreement. Rules and regulations can be obtained in the community Dropbox Folder titled [Dave's View Community Governing Documents](#), or from any Board Member. When rules and regulations are updated, the Board shall distribute the updated document(s) to all Owners and upload them into the Dropbox folder. Every Owner shall be personally and monetarily responsible for the conduct of guests, tenants, and all other persons on the property at the request of, or with the permission of, the Owner.

2. Complaint Process.

a. Any Owner, tenant, family member, or guest of an Owner should work with their neighbors to resolve rule violations.

b. Owners may report violations of the rules and regulations to the Board in writing to PO Box 2004, Kalama, WA, 98625-1701, or via mail to dvatmbhoa@gmail.com. Complaints must include the following:

- (1) Name and address of Owner filing the complaint
- (2) Name and address (or lot #) of Owner in violation
- (3) Date, time and description of the alleged violation

3. Board Action. Any Board action must be taken with the approval of the majority of the Board. The Board has the sole authority to determine the extent and severity of the rules violation. The Board will attempt to verify if a violation of the rules and regulations has occurred. The Board has the sole authority to determine if a condition is immediately dangerous to persons or property. If the Board deems a condition to be immediately dangerous, no prior written notice is required before the Board may take action to remedy the situation.

If the Board determines a violation occurred, the Board shall use the following steps to resolve the violation:

a. The Board will attempt to resolve minor or single occurrences of violations with a verbal warning.

b. If the verbal warning is not successful in correcting the violation, or if the violation is deemed serious or reported more than once in a 12 month period, the Board shall issue a written warning to the Owner. The warning shall include the date, time, and nature of the rules and regulations violation and expected resolution or corrective action.

c. The Board may notify the Owner in violation via prepaid US Mail or email. When prepaid US Mail is used, such notice shall be deemed to be delivered when deposited in the US Mail and addressed to the Association member at his or her address as it appears on the records of the Association. Email may be used if the Owner has consented to receiving electronically transmitted notices.

If the Owner fails to correct an ongoing violation, or commits another single occurrence of the same violation within 12 months after written violation notice, the Board shall:

- a. Review the complaint, and any communications with the Owner since the verbal warning, and vote on levying a fine on the Owner in violation IAW the HOA's Collection Policy.
- b. Notify the Owner of the Board's decision regarding the violation, the effective date of the fine imposed, and additional fines for each day the Owner remains in violation.
- c. Notify the Owner of their right to appeal the Board's decision.

3. Right to Appeal. Any Owner in violation has the right to appeal to the Board regarding the violation, or the Board's decision to fine the Owner in violation. In such case, imposition of any fine imposed will be suspended pending determination of the appeal by the Board. Owners appealing the Board's decision must provide written notice with an explanation concerning the Board's decision. The notice must be dated and delivered by prepaid US Mail to the Association's address, or by electronic mail to dvatmbhoa@gmail.com if the Owner has consented to receiving electronically transmitted notices. When prepaid US Mail is used, such notice shall be deemed to be delivered when deposited in the US Mail. The appeal must be sent within ten (10) days after delivery of the Notice. Once an appeal is received, the Board will hold an appeal meeting within seven (7) days to review the matter with the Owner. Failure to request an appeal by this date will waive the right to appeal.

4. Penalties. In accordance with Section 6.4.7 of the Association Bylaws, and the Association's Collection Policy, penalties assessed by the Board may include the following:

- a. A single fine for each separate violation
- b. A daily fine until the violation is resolved
- c. Suspension of voting rights
- d. Late fees, liens and/or interest
- e. Attorney's fees

5. Board Discretion.

- a. The Board may decide to waive a fine or penalty for good cause.
- b. Any waiver of a fine in one circumstance does not preclude the Board from enforcing rules and regulations or imposing a fine in the future.

CERTIFICATION: Dave's View at Martin's Bluff, a Washington non-profit corporation under UBI 602 360 914, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on January 17, 2018.