

ALISO VILLAS CONDOMINIUM ASSOCIATION FINE POLICY

Purpose - The Aliso Villas Condominium Association Board of Directors believes that homeowners desire a high quality community that contributes to an increase in the value of their property over time. In this way, homeowners can maximize the enjoyment of their property today and in the future. Without strong, consistent enforcement of our Covenants/Bylaws, this appreciation cannot be accomplished. With this goal, the Aliso Villas Condominium Association Board of Directors has enacted the following Violation Procedure and Fine Policy (as allowed for in the Associations Governing Documents as well as the State of California Civil Code and Corporations Code.

Each homeowner on title is responsible for the conduct and actions of his self, family members, children, guests, tenants, lessees, and/or their respective guests or invitees whether they are minor or adult. Homeowners shall be responsible for any and all fines and penalty assessments resulting from the conduct or actions of these persons and for any costs and expenses which may be incurred by the Association to repair any damage to Association Property and/or to areas for which the Association has maintenance responsibility.

Procedure for Enforcement:

1. A Notice of Violation letter shall be issued to the owner by the Management Company. The letter shall provide the alleged violation with an opportunity to cease and/or correct any act or omission, which appears to be in violation of the Governing Documents.
2. Second or Continued Violations (for the same infraction): Final Warning Letter sent to the Owner.
3. Third or Continued Violation (for the same infraction): If the violation is not corrected in the time specified, a Notice of Hearing shall be sent, indicating a date, location and time the charges shall be heard.
4. Serious Violations: For serious violations as determined by the Board of Directors in its discretion, the above steps will be skipped and proceed immediately to the Notice of Hearing.

Notice and Hearing Process

1. The Owner will be notified in writing, by either personal delivery or first-class mail, at least 15 days prior to the Hearing. The notification shall contain, at a minimum, the date, time and place of the meeting, the nature of the alleged violation for which the Owner may be disciplined, and a statement that the Owner has a right to attend and may address the Board at the meeting.
2. The Board of Directors will conduct the hearing in Executive Session. At the hearing, the Owner may present oral or written evidence concerning the violation.
3. The Board of Directors has the right, after conducting the hearing, to discipline any Owner by taking one or more of the following actions:
 - a. levying a fine/compliance assessment;
 - b. suspending or conditioning the right of the Owner to use any Association Property;
 - c. suspending the Owner's voting privileges; and/or
 - d. entering the Condominium to make necessary repairs or perform maintenance which is the responsibility of the Owner.
4. The Board shall make a decision following the Hearing as to what action is to be taken in order to gain compliance. Within ten (10) days after the hearing, the Board will provide the Owner with a written notification of its decision by either personal delivery or first-class mail with an explanation of the suspension, fine or conditions, if any, imposed by the Board.

Fine/Compliance Assessment Schedule

The following is the Association Schedule of Fines and Penalties for violations of the Covenants, Conditions and Restrictions, Rules and Regulations, and provisions of the Architectural/Landscape Guidelines and Standards.

- First Fine: \$100.00 plus administration fees *
- Second Fine: \$200.00 plus administration fees *
- Third Fine: \$300.00 plus administration fees *

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* *These fines are in addition to any previously levied fines. For example, the total fines for three months of written notices would be \$100 plus \$200 plus \$300 for a total of \$600 plus administration fees*

Fines shall be in addition to an assessment equal to any applicable cost of repair. For the purposes of this Fine Schedule, a “continuing or repeated violation” shall be one that is assessed to a single lot within a six (6) month period.

Appeal

A homeowner may appeal a formal or informal notice of violation to the HOA by contacting the property manager in writing. Once the Board has assessed a fine(s), the homeowner may, within 30 days, make a written request for reconsideration. The homeowner, at his or her option, may request a Hearing before the Board. The Board may reduce or retract the fines, if the Board finds that such fines are not necessary to obtain compliance with the rules and requirements of the HOA.

Complaints

Should a homeowner note any condition they consider to be in violation of the CC&R's, Rules and Regulations, By-laws or Architectural/Landscape Guidelines and Standards, a written complaint may be filed with the Board of Directors through the Management Company. The complaint will be investigated and a ruling will be made as to its merit. If the complaint is justified, a Notice of Violation will be sent to the appropriate party stating a time limit for the correction of the violation. Non-compliance will result in referral to the Board of Directors for further action as necessary. Please note that the Management Company will not respond to complaints filed via phone call and/or anonymous complaints of any kind.

NOTES

1. In addition to the appropriate penalty charges, the violation of CC&R's, Rules and Regulations relating to the illegally parked vehicles may result in the towing of the vehicle at the Owner's expense.
2. The Board of Directors reserves the right to assess additional amounts for repairing damage to Association property, for threats to life safety and/or for actions which result in a serious liability to the Association
3. At any time during this procedure, the Board of Directors may determine that it is in the best interest of the Association to expedite enforcement action and may choose to take legal action or to cause the violation to be corrected at its expense and assess the account of the owner for reimbursement for said correction.
4. If no compliance is gained, the Board of Directors may seek legal action against the owner. In the event that legal action is taken, the Aliso Villas Condominium Association shall be entitled to collect reasonable attorney's fees and costs.
5. Homeowners shall be responsible for the actions of their tenants and/or guests. The Homeowner will be liable for payment of fines and assessments resulting from violations and damage caused to community property by Tenants and/or their guests. It is the responsibility of the Homeowner and the tenant to advise guests of any Rule or Regulation that may apply (Examples: parking, speeding, pet control, pool rules, or any other Rule or Regulation that may affect the rights of the membership).
6. If an emergency or criminal act is in process, please call 9-1-1 or the Mission Viejo Police Department at (949) 770-6011