

## **STREAMVIEW HOME OWNER'S ASSOCIATION BOARD OF DIRECTOR'S ENFORCEMENT RESOLUTION**

THIS ENFORCEMENT RESOLUTION is made by the Board of Directors of the Streamview Homeowners Association, Inc., an Idaho nonprofit corporation ("Association") on 14 January 2025 and supersedes any and all previous enforcement resolutions for violations of the Star Idaho Streamview Subdivision Home Owner's Association Inc. Covenants, Conditions and Restrictions (CC&R).

### **1.1 Authority to impose a fine**

The Streamview Home Owners Association sets forth this authority in CC&R Article 17.5.

### **1.2 Written notice**

Written notice shall be provided to the member at least thirty (30) days prior to a meeting at which a vote to impose a fine on the member is to be held. Service of the notice must be by personal service or certified mail and an email notice may also be provided. The notice shall include details of the alleged violation, including the applicable provisions of the governing documents that form the basis of the violation, the date, time and location at which the violation will be reviewed, and the amount of any fine to be voted upon and imposed as a result of failure to correct and resolve the violation.

### **1.3 Resolving violation prior to meeting**

In the event the member resolves the violation prior to a meeting held pursuant to paragraph 1.2 of this resolution, no fine may be imposed.

### **1.4 Time limits**

The Board shall have the right to limit the time of the meeting. The Member will have a time limit of fifteen (15) minutes for testimony to the Board.

### **1.5 Decision of Board to Member**

Upon a majority vote of the Board at the meeting, the Member shall receive a decision informing them of one (1) of the following outcomes.

- a. No violation exists.
- b. A violation does exist and a timeframe within which the violation must be corrected or else be deemed a continuing violation.
  1. Impose a fine amount.
  2. Any other legal or equitable remedies available to the Association for the violation.

**1.6 Violation fine amounts** The fine amount of a CC&R violation is 25% of the annual assessment and the fine amount of an ACC noncompliance violation is 50% of the annual assessment.

### **1.7 Violation resolution timeline**

If a Member is notified that the Board decided a violation does exist, they must correct and resolve the violation within fifteen (15) days of such notification or any other timeframe determined by the Board.

### 1.8 Continuing violations

If the Member fails to correct and resolve the violation within the Board's determined timeframe, then the violation shall be deemed a continuing violation and the Board shall have the liberty to assess an additional fine of up to 15% of the annual assessment for each violation for every seven (7) days that the violation remains unresolved without further notice of a hearing. If the violation is one that has been deemed to pose an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the Owners or the residents within the Community, then the additional fine imposed for every seven (7) days that the violation remains unresolved shall be consistent with the initial fine imposed.

### 1.9 Fine amount deviations

The Board of Directors reserves the right to deviate from the fine amounts set forth herein if, after a meeting on the matter, the Board finds good cause to lower the amount of the fine levied in a particular case. Accordingly, nothing in this article precludes the Board from exercising, in its sole discretion, any remedy the Board deems appropriate based on the totality of the circumstances. This includes turning a matter over to the Association's legal counsel.

### 1.10 Members right to appeal

The Member shall have a right to appeal the decision of the Board within fifteen (15) days from the date which the Board's written decision was sent to the Member. The Member must submit a written appeal to the Board, providing specific details as to why the decision should be overturned. The Board may or may not ask the Member to attend a meeting to discuss the appeal. If the Member submits an appeal within the timeframe set forth in this paragraph, the time period of taking any further action by the Association on the violation, such as imposing additional fines for the continuing violations as set forth in 1.8, shall be stayed until a decision has been made by the Board on the appeal. Once a decision is rendered on appeal by the Board, no subsequent appeals will be reviewed.

### 1.11 Lien in lieu of complying with Board's decision

If the violating association member refuses to abide by the decision imposed by the Board, the Board may, without further notice, elect to compel compliance with such decision as provided for in the Governing Documents, including, but not limited to, recording a lien against the violating member's property in the community for the failure to pay any monetary penalty imposed.

### 1.12 Limitations

No portion of any fine may be used to increase the remuneration of any board member or agent of the board.

# CERTIFICATION

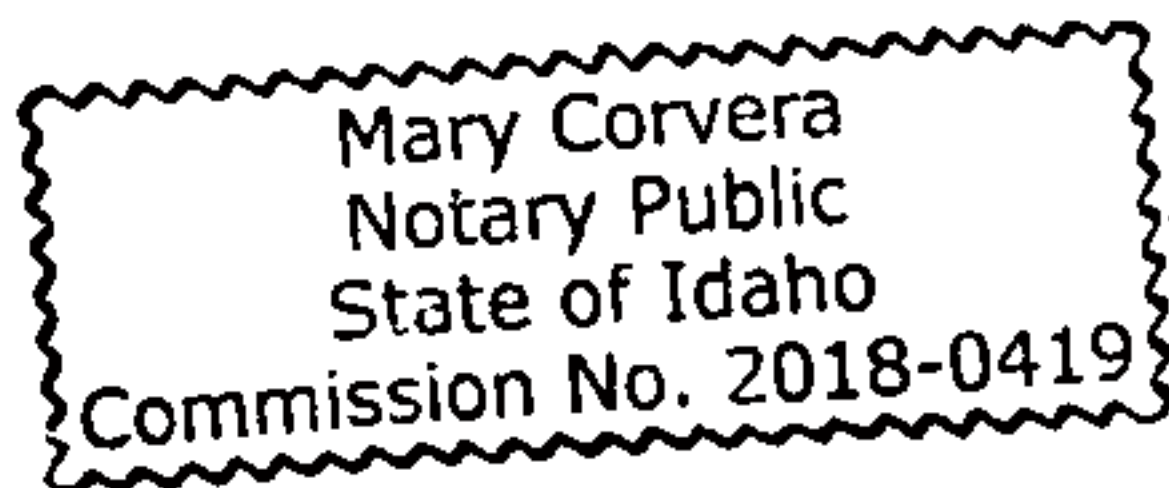
IN WITNESS WHEREOF the undersigned being the President and Secretary of the Streamview Homeowners Association, Inc., an Idaho nonprofit corporation, hereby certify and attest that this Enforcement Resolution of Covenants, Conditions and Restrictions for Streamview Subdivision has been approved and adopted by unanimous vote of the 2024-2025 Board of Directors on 14 January 2025.

*M W Borg*

Mark W. Borg, President  
Streamview Homeowners Association, Inc., an  
Idaho nonprofit corporation

STATE OF IDAHO )  
County of Ada ) ss.

This Certification was acknowledged before me this 27 day of January, 2025 by Mark W. Borg, President of Streamview Homeowners Association, Inc, an Idaho nonprofit corporation, on its behalf.



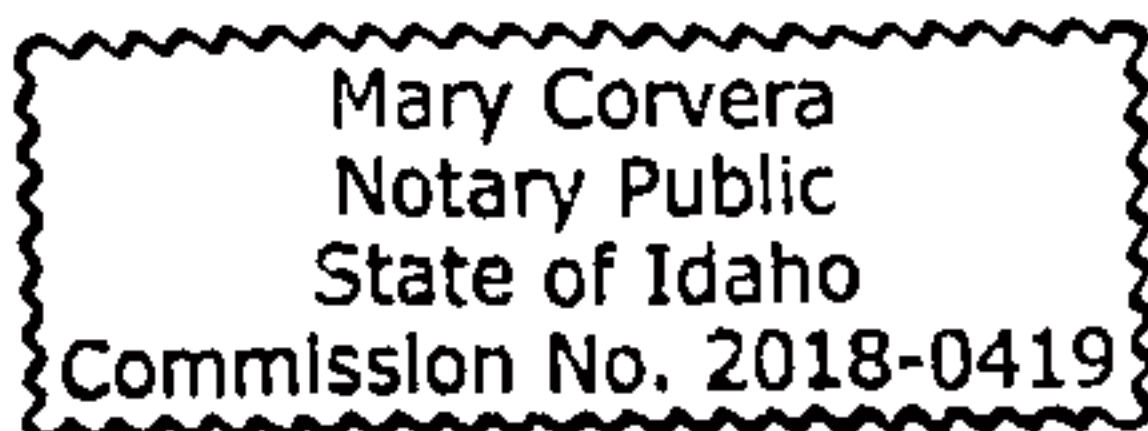
*Mary Corvera*  
Notary Public for Idaho

3/7/2020

*Brandon Larson*  
Brandon Larson, Secretary  
Streamview Homeowners Association, Inc, an  
Idaho nonprofit corporation

STATE OF IDAHO )  
County of Ada ) ss.

This Certification was acknowledged before me this 27 day of January, 2025 by Brandon Larson, Secretary of Streamview Homeowners Association, Inc., an Idaho nonprofit corporation, on its behalf.



*Mary Corvera*  
Notary Public for Idaho

3/7/2020