

Bradford Park Homeowners' Association Enforcement Policy and Fine Schedule

Homeowners purchased their homes in the Bradford Park sub-division in order to enjoy a beautiful residential environment that the development provides. The purchase of a home or lot in this community imposes a legal obligation on all homeowners to adhere to the Covenants, Conditions & Restrictions (CC&Rs) and Rules and Regulations (R&Rs). A home's purchase comes with a clear expectation that the CC&Rs and R&Rs will be enforced on all homeowners in order to maintain an attractive and well-kept neighborhood and to maintain and/or increase property values.

The Board of Directors of the Bradford Park Homeowners' Association has a legal obligation to act in the best interests of the entire community and has the responsibility to enforce the CC&Rs and R&Rs. An Enforcement Policy and Schedule of Fines will also help ensure that the board is not selective or arbitrary in enforcing the CC&Rs and R&Rs, and related policies.

Policy Schedule

The attached Schedule of Fines has been adopted by the Bradford Park Homeowners' Association Board of Directors. It outlines specific violations of the CC&Rs, policies, and R&Rs, and lists the penalty for those violations. This policy also specifies that a fine may only be imposed after the owner has been sent written notice that a fine is being imposed, and is provided a reasonable opportunity to be heard regarding the alleged violation by the Board of Directors or a designated representative.

The purpose of imposing fines is to encourage compliance with our CC&Rs, policies, and R&Rs. This schedule of fines serves to provide each homeowner a clear understanding of the penalties involved for violating our CC&Rs, policies, and R&Rs, and for failure to respond to notice of violations and remedy those violations.

Enforcement Policy

Violation Notice

- The homeowner has twenty (20) days from the date of the **Violation Notice** to correct the violation or request a hearing before the Board of Directors to discuss the cited violation(s). A response is required by the homeowner via email or letter within the twenty (20) days from the date of the Violation Notice.

Violation Fine Notice:

- If the homeowner has not corrected the violation, requested a hearing or fails to appear at the requested hearing within the twenty (20) day period a **Violation Fine Notice** will be sent informing the homeowner that a **fine has been assessed** to their account. The homeowner will be given an additional five (5) days from the date of the Violation Fine Notice to correct the violation before the twenty-five dollar (\$25.00) per day fine will be assessed for a violation of a continuing nature.
- Where a fine is imposed, unless expressly provided in another section of the Enforcement Policy, it shall be in the amount of a maximum of one-hundred and fifty (\$150.00) for the first violation of the CC&Rs and the R&Rs, in the amount of one-hundred and fifty (\$150.00) for a second violation of the CC&Rs and the R&Rs, and the additional sum of twenty-five (\$25) per day for a violation of a continuing nature. ***A FINE FOR A VIOLATION OF A CONTINUING NATURE WILL BE IMPOSED BEGINNING FIVE DAYS FROM THE DATE OF THE VIOLATION FINE NOTICE AND WILL CONTINUE EACH DAY UNTIL THE VIOLATION HAS BEEN ELIMINATED AND THE ASSOCIATION HAS RECEIVED NOTICE OF IT.***
- All fines are collectible in the same manner as unpaid expenses/assessments.
- **If the Board determines, in its sole discretion, that a violation is particularly egregious, the Board may double or triple the amount of the fine.**

Continuing Violation:

- If the violation continues after the first Violation Notice has been sent or first fine has been imposed, a **Continuing Violation Letter** will be sent to the homeowner notifying the homeowner that a **fine will be assessed daily until the violation has been corrected**. The Board will continue the daily fine without additional notice or hearing, until the violation has been remedied. (*A continuing violation is a violation of an ongoing nature which has not been corrected.*)

Repeat Violation:

- The Board will continue to assess the fine without additional notice or hearing if the same violation stops and then starts within a 120-day period starting from the initial violation notice.

FINE SCHEDULE	
Violation	Fine
Overdue Assessments	20%
Parking Violation	\$150
General Landscaping and Exterior Maintenance	\$150
Storage of any Item (covered or uncovered) in front or side of house or in public view	\$150
Storage of any shed or structure not approved by the Board	\$150
Storage of Rubbish or Unsightly Material Outside of House	\$150
Garbage Cans – Not Screened	\$50
Garbage Pickup – Cans on the curb before 6:00 p.m. and left after 10:00	\$25
Noise Violation	\$50
Holiday Decorations	\$50
Signs and Advertising	\$50
Removal of any Tree without Board Approval	\$500/tree
Installation of any non-compliant structural element such as a shed, fence, or any exterior modification made without written approval from the Bradford Park Architectural Review Committee \$500.00 with 30 days to remove, replace, redesign or relocate with Board approval. If not in compliance within 30 days, a fine of \$25.00 per day until non-compliance is remedied.	\$500
Miscellaneous Violations	\$50

- Should a homeowner have multiple violations, each violation will be assessed to the homeowner's account per the above Fine Schedule. Should the violation not be remedied in twenty (20) days from the date of the first violation notice, the violation fine will be assessed to the homeowners account. If the violation is not remedied in five (5) days after the second violation notice is sent, a sum of twenty-five dollars (\$25) per day in addition to the original violation fine will be assessed to the homeowner's account until the violation has been remedied.
- An exception will be made for Exterior Maintenance of a house. The homeowner will need to present to the Board within the twenty (20) day period from the date of the first violation letter, a written statement of when the violation will be remedied, and the Board will determine if the timeframe is acceptable.
- **The payment of any and all legal fees, and related costs incurred by the Bradford Park Homeowners' Association to enforce violations or collect fines shall be the responsibility of the homeowner.**