

## **Covenant Enforcement Procedure and Special Assessment Schedule (November 1, 2016)**

Step 1: A written complaint must be made by a homeowner of the association and retained in the Architectural Review Committee (ARC) files. The ARC is under no obligation to identify the person making the complaint, and shall respect the anonymity of a homeowner making a complaint if requested.

Step 2: At least two members of the ARC inspect the property to determine if the complaint has merit. During inspection, the ARC will identify the relevant articles of the Covenants, Conditions, and Restrictions (CC&R's) which are found in violation. At the discretion of the committee members, the occupants of the property may be contacted during or after the inspection to inform them of the violation and to request corrective action be taken.

Step 3: If issues are not resolved during the inspection, a violation letter will be drafted and reviewed by at least one other ARC member. The letter will be sent to both the property owner and the address of the property, if different, so that occupants are made aware of the violation as well. The letter shall specify that a special assessment may be levied against the property, potentially resulting in a lien, after 60 days of the date of the letter if the violation is not resolved. If the Board of Directors votes unanimously to reduce the 60 day period to 10 days, in accordance with the bylaws, a letter providing 10 days notice to correct the violation may be sent via certified mail as described in Step 4 and article 31 of the CC&R's.

Step 4: If the violation is unresolved after at least 30 days from the initial letter, a second violation letter will be sent, via certified mail, return receipt requested, to the property owner, noting that the property is still in violation and a special assessment may be levied against the property if the violation is not resolved within 30 days.

Step 5: If the violation is unresolved at least 30 days following Step 4. The ARC may ask the Board of Directors to issue a special assessment against the property in accordance with the schedule below and article 9 of the bylaws. If a majority of the Board of Directors votes affirmatively to issue the assessment, a special assessment will be issued against the property, and be entered into the Treasurer's record. A letter will be sent to the property owner informing them that a special assessment has been placed against the property. Lien's will be placed against subject properties at the discretion of the Board of Directors. Lien placement and release fees will be added to the outstanding balances in order to recover these costs.

Step 6: Following the issuance of a special assessment, if the violation remains unresolved, this process may resume at step 3, providing an additional notice letter, sent via certified mail, at least 30 days prior to an additional assessment being placed. Special assessments may be increased in accordance with the schedule below for each violation which remains unresolved after the specified time period. Repeat violations (such as parking or trash cans) occurring within a 60 day period will be considered to be unresolved issues. If a violation is resolved to the satisfaction of the majority of the ARC for at least 60 days, a subsequent violation will be considered a new violation for the purpose of this process. The board may levy up to a maximum special assessment under this process, not to exceed \$25,000, per property.

**Special Assessment Schedule – Fines for Violation**

Violation	Initial Violation	Additional fine after 30 days if unresolved	Fine for each additional 30 days that violation exists.
Article 10 – Architectural Control	\$10	\$20	\$50
Article 13 – Commercial Use of Property	\$100	\$200	\$400
Article 14 – Nuisance	\$50	\$100	\$200
Article 15 – Garbage / Trash	\$10	\$20	\$50
Article 16 – Vehicle Parking	\$20	\$40	\$100
Article 17 - Temporary Structures	\$20	\$40	\$60
Article 19 – Animals	\$20	\$50	\$100
Article 20 – Signs	\$20	\$40	\$60
Article 21 – Tree Cutting	\$10	\$20	\$40
Article 22 – Fences	\$20	\$40	\$80
Article 23 – Exterior Maintenance	\$20	\$100	\$200
Article 26 – Roofing Materials	\$20	\$40	\$60
Article 27 – Drilling or mining	\$100	\$200	\$500
Article 28 – Clothes lines	\$5	\$10	\$20
Article 29 – Fuel Tanks	\$20	\$40	\$60

**Additional rules and guidelines for defining and resolving violations;**

Article 10 – Architectural Control - Homeowner submit plans for ARC review. ARC may require additional mitigation to resolve violation. If plans has been submitted, the ARC may suspend the violation pending final resolution.

Article 13 – Homeowner shall discontinue commercial use of property

Article 14 – Resident shall cease activity or mitigate conditions resulting in nuisance. ARC may require mitigation to take place or a plan to be submitted. So long as mitigation is being completed to the satisfaction of the ARC, and residents are pro-actively engaged in resolving the issue, the ARC may suspend the violation pending final resolution.

Article 15 – Homeowner shall appropriately screen trash containers, or submit plans to the ARC for screen construction, or otherwise mitigate violation. If permission has been requested, the ARC may suspend the violation pending final resolution.

Article 16 – Homeowner shall not authorize any vehicle to be parked improperly on the lot and will take action to prevent people from improperly parking on the lot. Permission from the ARC may be requested to place ‘no parking’ or ‘tow away zone’ signs on the property to keep other people from parking improperly on the lot. Residents may request approval for the creation of additional parking strips, or expanded driveways. If permission has been requested, the ARC may suspend the violation pending final completion.

Article 17 – Residents will cease use and dismantle temporary structures or submit plans to the ARC under the procedure described in Article 10. If permission has been requested, the ARC may suspend the violation pending final completion.

Article 19 – Residents will remove, control, or otherwise mitigate violations resulting from animals.

The following additional rules and regulations were approved by the ARC, in accordance with Article 19, with concurrence from the HOA board regarding animals;

- 1) Household pets are defined as animals which are kept entirely indoors (reptiles, rodents, etc), and dogs and cats, which may be allowed outside on a temporary basis. Animals which exist entirely outdoors (including dogs and cats) are prohibited. Other outdoor animals such as rabbits, pigs, goats, or other livestock are prohibited except as noted below, unless written permission has been obtained from the ARC.
- 2) Domestic Fowl (chickens, ducks, etc) may be kept, subject to the following restrictions;
  - a. No more than 6 fowl may be kept on any lot, at any time.
  - b. Roosters and other fowl which make a significant amount of noise are prohibited.
  - c. Structures housing fowl must be kept in good condition and be kept at least 10 feet away from other structures. Structures which become un-slightly or present a nuisance may be subject to ARC enforcement under Article 10.
  - d. Feed must be stored in a manner as to not attract rodents, raccoons, or other nuisance animals.
  - e. The ARC may order the removal of any animals creating a nuisance in accordance with Article 19.

Article 20 – Resident will remove signs or request permission from the ARC. Note: In accordance with Washington State law, (RCW 64.38.034) this article may not infringe upon first amendment rights granted to homeowners regarding political signs. Political signs may be displayed in a manner such that they do not obstruct traffic visibility, harass other homeowners, or otherwise create a nuisance. Signs shall be removed no later than 7 days following the relevant election. This covenant also may not restrict the display of the Flag of the United States (64.38.33), however, construction of flag poles shall be approved by the ARC, who may impose reasonable restrictions or mitigation, as required by Article 10.

Article 21 – Trees - If trees are removed without permission, the homeowner shall request permission from the ARC after removal has taken place. The ARC may impose additional restriction or mitigation of damage caused by tree removal. If permission has been requested, the ARC may suspend the violation pending final completion.

Article 22 – The homeowner will remove the fence which is in violation, or request permission from the ARC to allow the fence to remain. The ARC may impose mitigation, replacement, or additional conditions. Acceptable materials have been deemed to be wood (preferably cedar) or brick. Chain link and temporary mesh fences are prohibited. If permission has been requested, the ARC may suspend the violation pending final completion.

Article 23 – Exterior Maintenance. The homeowner shall repair the violation, or submit a plan to the ARC describing the proposed repairs and timeline for completion. The ARC may suspend the violation pending final completion.

Article 26 – Roofing Materials. The homeowner shall request permission for the project. The ARC may impose additional restrictions and/or additional mitigation. The ARC may suspend the violation pending final resolution. Note: This article does not apply to solar panels, in accordance with RCW 64.38.055, however, plans for the installation of solar panels shall be submitted to the ARC for approval. The ARC may impose additional restrictions. Panels should be installed in accordance with the limitations described in RCW 64.38.055(2).

Article 27 –Drilling or Mining. The homeowner shall cease any drilling or mining activity, and submit plans for the mitigation of any damage which occurred. If plans have been submitted, the ARC may suspend the violation pending final resolution.

Article 28 – Clothes Lines. The resident shall remove and discontinue use of clothes lines.

Article 29 – Fuel Tanks. The resident shall remove fuel tanks, or submit plans to the ARC for construction of a screen. If plans have been submitted, the ARC may suspend the violation pending final resolution.

Change record:

January 27, 2015 – Original Issue

November 1, 2016 – Added rules regarding animals to Article 19.

This procedure and schedule voted on by the Board of Directors on \_\_\_\_\_

Director Signature \_\_\_\_\_ Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Director Signature \_\_\_\_\_ Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

Director Signature \_\_\_\_\_ Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

