

Williamson Farms HOA Schedule of Penalties

The Williamson Farms Homeowner's Association has established the following Enforcement Policy for CC&R, By-Law, and/or ARC Regulations violations, enforcement, and any applicable monetary penalties for continued violations. This policy will be deemed part of the ARC Regulations and it subject to amendment or modification at any time by majority vote of the Board of Managers.

First Notice:

A Warning Letter will be delivered to the Owner of the property via US Postal Service as Certified with Return Receipt outlining the violation and, if appropriate, given a timeframe for compliance.

** In the event the Owner of the property can be identified as an absentee Owner, a copy of the violation letter will also be sent to the tenant at the property address and will apply for all compliant notices.*

Second Notice:

A letter will be delivered to the Owner of the property via US Postal Service as Certified with Return Receipt addressing the failure to comply including a fee assessed and timeframe of 30 calendar days, unless otherwise stated, to become compliant.

Subsequent Notice(s)

A letter will be delivered monthly up the max amount set forth in the Violation Fine Schedule to the Owner of the property via US Postal Service as Certified with Return Receipt including a fee assessed and timeframe of 30 calendar days, unless otherwise stated, to become compliant.

Final Notice:

Should the Owner not comply the Board of Managers will secure a vote with the majority to determine if additional action to be taken.

Williamson Farms Homeowner's Association reserves its right to file with the County Court a lien against the property in violation including all assessed fees along with penalties and interest up to \$1,500. A formal letter indicating proceedings will be mailed via US Postal Service as Certified with Return Receipt.

Assessment of Initial Monetary Penalty:

The Association will assess a monetary penalty according to the Fine Schedule if the Owner has not corrected or removed (or has chosen not to correct or remove) the violation, or the violation has been repeated within the time frame of the First Notice. Will be sent via certified mail.

Assessment of Additional Monetary Penalties:

After the imposition of the Initial Penalty, additional penalties may be imposed upon subsequent inspections if the Owner has not corrected or removed (or has chosen not to correct or remove) the violation or the violation is repeated or has returned. Additional monetary penalties will be imposed after inspections have been conducted to coincide with the terms of the notices.

Should a period of the at least one year to date lapse between First Notice letter of the same offense, the next letter will be a First Notice again.

Exception of Notice Procedure:

Violations posing a threat to the health, safety, and/or welfare of the community as a whole or any one or more other Owners may require immediate action and thus create exceptions to the foregoing notice provisions.

Right to Self-Help:

The Williamson Farms Homeowner's Association has the right (but not the obligation) to enter the Owner's property and to provide all maintenance and repairs that are necessary to remove the violation. Entry by the Association and any of its agents is not an actionable trespass. The Association may assess the Owner for the costs of all maintenance and repairs performed by the Association from the Association. The Association may seek to recover reasonable attorney fees and court costs associated with any penalties or damages assessed.

Opportunity to be Heard:

The Association recognizes each Owner's right to explain the reasons why there is a violation of the CC&R, By-Laws, or ARC Regulations, particularly if the violation results in a monetary penalty. Before any penalty is assessed, an Owner has the opportunity to request a hearing before the Board of Directors. The Owner must provide timely written request for a hearing. If the hearing is scheduled, the Owner is bound by the decision of a majority of the Board.

**Williamson Farms Homeowner's Association
Schedule of Penalties**

1. Property alterations and/or improvements made without ARC approval:
 - a. First Notice: Warning Letter (10 day compliance unless otherwise stated in Letter)
 - b. Second notice for same violation: \$50 fee (30 day compliance unless otherwise stated)
 - c. All subsequent notices for same violation: \$100 (monthly up to six months unless otherwise stated)
 - d. Final: Lien may be filed with the County Court at the expense of the Owner up to \$1,500.

2. Repair and upkeep of property:
 - a. First Notice: Warning letter (10 day compliance unless otherwise stated in Letter)
 - b. Second notice for same violation: \$50 fee (30 day compliance unless otherwise stated)
 - c. All subsequent notices for same violation: \$100 (monthly up to six months unless otherwise stated)
 - d. Final: Lien may be filed with the County Court at the expense of the Owner

3. Unmoved Vehicle in excess of 3 days (including, but not limited to, storing any recreational vehicles, trailer, commercial vehicles, boats, motorcycles, or unlicensed or non-operational vehicles, parking on the paved and unpaved surfaces):
 - a. First Notice: Warning letter (10 day compliance unless otherwise stated in Letter)
 - b. Second notice for same violation: \$150 fee (30 day compliance unless otherwise stated)
 - c. All subsequent notices for same violation: \$300 (monthly up to six months unless otherwise stated)
 - d. Final: Lien may be filed with the County Court at the expense of the Owner

4. Garbage cans improperly stored:
 - a. First Notice: Warning letter (7 day compliance unless otherwise stated in Letter)
 - b. Second notice for same violation: \$25 fee (30 day compliance unless otherwise stated)
 - c. All subsequent notices for same violation: \$50 (monthly up to six months unless otherwise stated)
 - d. Final: Lien may be filed with the County Court at the expense of the Owner

5. Unauthorized signs placed on a homeowner's property or on common area without prior approval within the Williamson Farms HOA (including real estate signs):
 - a. First Notice: Warning letter (10 day compliance unless otherwise stated in Letter)
 - b. Second notice for same violation: \$25 fee (30 day compliance unless otherwise stated)
 - c. All subsequent notices for same violation: \$50 (monthly up to six months unless otherwise stated)
 - d. Final: Lien may be filed with the County Court at the expense of the Owner

6. Any other violation not specifically listed above; yet violates the Covenants and Bylaws of Williamson Farms is subject to a flat \$25 fine per offense. Should the offense continue beyond the time set forth in the letter, a lien may be filed with the County Court at the expense of the Owner.