

Cherrywood Homeowners Association

Covenant Enforcement Policy and Procedure

BE IT RESOLVED, the Association hereby adopts the following procedure to be followed for enforcing policies, rules and regulations and other governing documents of the Cherrywood Homeowners Association.

1. **Scope**

To adopt a procedure and policy outlining procedures to be followed for enforcing policies, rules and regulation and other governing documents of the Association.

2. **Specifics:**

Violations may be observed by the Board of Directors, the management company, a committee member or reported via written correspondence through e-mail, fax or mail. The signed complaint must state specifically the violation observed and include who the violating party is, what was observed, date, place and time of violation and any other pertinent information such as license plate numbers, etc.

If full details are not provided with a complaint, further action beyond additional observation cannot be made. The Board of Directors will investigate the complaint further and will make additional observations if required.

If violations such as Obnoxious/Offensive Activities (Building Restrictions: Section 4); Livestock/Poultry (Building Restrictions: Section 9); Parking/Recreational Vehicles (Building Restrictions: Section 6 & 7) are found and documented, the following actions will be taken:

- A letter will be sent to the owner (and tenant if it is a known rental) stating the violation. The owner will have 10 days to respond to the letter, request a hearing, or to correct the violation.
- If the violation is still observed after 10 days, a second letter will be sent to the owner (and tenant if it is a known rental) stating that if the violation continues, fines will be imposed. The owner will have 10 days to respond to the letter or to correct the violation or to request a hearing with the Board of Directors.
- If written request for a hearing is received by the Board of Directors within 10 days of receipt of the violation letter, a hearing shall be set, and a written notice of the date, time and place of the hearing shall be mailed.
- Failure to respond to the violation letter within 10 days will be construed as an admission of the violation, at which point, the Board may impose a fine against the Owner for the violation as stated below. Fines will be assessed monthly per incident.
- Owners will be charged \$25.00 for the first month. If the violation continues, Owners will then be fined \$50.00 each month until the violation has been corrected.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants. Non-payment of fines will follow the procedure for Dues Collection.

3. **Supplement to Law:**

The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the laws of the State of Colorado governing the Project.

4. **Deviations:**

The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

5. **Amendment:**

The Board of Directors may amend this procedure from time to time.

The undersigned, members of the Board of Directors of this Association, certify that the Board of Directors of the Association adopted the foregoing resolution and in witness, therefore, the undersigned have signed his/her name.

Cherrywood Homeowners Association

By: Robin Whalley 8/25/18 (Pres)
Signature Date

By: Susan D. Lynn Treasurer 8/24/18
Signature Date

By: _____
Signature Date