

Palm Lake HOA Rules & Regulations Enforcement  
DRAFT Guidelines  
Russ Carlson  
August, 2017

This document is intended to provide guidelines for the board to assist in the enforcement of Palm Lake rules & regulations. On the accompanying exhibits we have a non-exhaustive list of major and minor infractions. The list of major infractions is more appropriately focused on more significant issues such as disallowed and unsightly structures or modifications, significant deferred maintenance or cleaning, and animals or activities that significantly reduce a homeowner's use, pleasure or resale value in their residence.

With the board becomes aware of a violation our goal is to resolve non-compliance as quietly as possible with the least possible number of people involved. The steps are as follows:

1. HOA representative sends a notice to the homeowner of the covenant violation and a period of time to cure.
2. HOA representative sends a follow-up with time period for cure.
3. A formal request for in-person mediation with the HOA Board occurs with a deadline established;
4. If the infraction persists, an injunction is filed with the courts by an attorney. The cost of this action is recoverable from the homeowner.
5. If the homeowner has still not cured the issue, the homeowner may be held in contempt of court.

Likewise, when the board becomes aware of issues deemed to be minor infractions we will follow the steps below:

1. A first offense will result in a simple note from a board member to the homeowner highlighting the issue and asking for immediate remediation. At the board's discretion a second note can be sent.
2. Lack of remediation or a repeat of the offense will result on a face-to-face discussion between the homeowner and not fewer than two board members so we can understand the reason for the non-compliance and seek resolution. If non-compliance continues, and there are no extenuating circumstances, the board has the option of levying a fine of up to \$100.
3. A repeat of the violation or a lack of remediation within a reasonable time period can result of an increase in that fine up to a total of \$1,000. Once

outstanding fines reach this level, the next action would be to obtain a lien on the property requesting payment of the fine plus legal costs. Only the HOA board would be involved in making the decision to move to this level; the Fine Review Committee is not involved.

4. Before it is issued and recorded, the fine will be communicated to the Fine Review Committee who has up to seven days to either veto the fine or reduce the amount with the goal of insuring the proper application of our governing documents and consistency from one incident to the next.

Exhibit A – Example Major Infractions (to be developed)

Exhibit B – Example Minor Infractions (to be developed)