

# Reflection Lake Community Association

## Penalties: Statement of Policy

### INTENT OF PENALTY ASSESSMENT:

- A. To provide for enforcement of Association Covenants and formally approved written Bylaws.
- B. Seek and collect restitution for damage to association common areas and real assets.
- C. Promote uniform enforcement of Bylaws that directly affect the safety and well being of association members.

### Class A:

- 1) A direct violation of Covenants.
- 2) Will adversely affect watershed or lake water quality.
- 3) Major damage to roads, buildings, or other assets of the association
- 4) An action that is an immediate danger to others
- 5) Has a monetary value in excess of \$250,000

### Procedures:

- 1) At the direction of the Board, formal notification of violation via registered mail.
- 2) One week later.
  - a) Investigate for action taken. If violation corrected, no action need be taken
  - b) If corrective action not made, send second letter with cost of corrective action contemplated, plus request for formal reply
- 3) One week later.
  - a) Select 5 member hearing board
  - b) Formally investigate violation and cost of corrective action.
  - c) Set a hearing date and notify the homeowner.

### Penalties: Any or all if found guilty.

- 1) Letter of reprimand.
- 2) Restricted from sitting on the board or committees for a 3 year period
- 3) Lien or reimbursement up to full cost of corrective action,
  - a) plus 25% for 1st offense
  - b) 50% for 2nd conviction for the same offense
  - c) 100% for 3rd violation of the same offense.
- 4) 6 months restricted access of common area violated
- 5) Letter of agreement for restitution in lieu of conviction
- 6) Dismissal of case

**Class B:**

- 1) A minor violation of Covenants
- 2) An unapproved change to the Watershed Area of lake quality
- 3) Minor damage to roads, buildings, or other assets belonging to the association.
- 4) Has a monetary value of less than \$250,000

**Procedures:**

- 1) Formal notification of violation via letter and phone (3 attempts)
- 2) One week later.
  - a) Investigate for action taken. If violation corrected, no action need be taken
  - b) If corrective action not made, send second letter with cost of corrective action contemplated, plus request for formal reply
- 3) One week later.
  - a) Select 5 member hearing board
  - b) Formally investigate violation and cost of corrective action.
  - c) Set a hearing date and notify the homeowner.

**Penalties:** Any or all if found guilty.

- 1) Letter of reprimand.
- 2) Restricted from sitting on the board or committees for a 1 year period
- 3) Lien or reimbursement up to full cost of corrective action,
  - a) plus 25% for 1st offense
  - b) 50% for 2nd conviction for the same offense
  - c) 100% for 3rd violation of the same offense.
- 4) A notarized agreement for full restitution within a 90 day period.
- 5) Letter of agreement for restitution in lieu of conviction
- 6) Dismissal of case

**Class C: Violation of current written Bylaws**

**Procedures:**

- 1) A member must give written notification of a violation witnessed.
- 2) A board member charging a bylaw violation must ascertain the names of all members known to be in violation of bylaw cited.
- 3) Notify members by mail or phone and request corrective action and reply within 14 days.
- 4) At next meeting:
  - a) Violation corrected - No action taken.
  - b) Violation ignored - Member invited to board meeting to explain actions.
  - c) Executive session held to determine penalty or dismissal of charge.

**Penalties:** Any or all, if found guilty.

- 1) Letter of warning
- 2) Letter 2nd notice
- 3) Reimbursement all association cost, lien or collection notice filed.
- 4) No action taken, modify current Bylaw
- 5) Dismiss charge