

Violations & Fines

The Manor Homes at Aldingbrooke Condominium Association

Board Policy Statement

Whereas, The Manor Homes at Aldingbrooke Board of Directors is empowered to govern the affairs of the Association; and

Whereas, it may, from time to time, become appropriate for the Board of Directors to initiate a Notice of Violation for apparent non-compliance with the Rules and Regulations and/or Bylaws of the Association;

Therefore, be it resolved that the policy for the issuance of such notices and for the assessment of fines for violations, in addition to the requirements of Condominium Bylaws Articles XIV, XV, and XVI, shall be as follows:

1. In the first written communication of an alleged violation to the co-owner, the co-owner will be advised:

You have the right to appear before the Board on the next monthly Board Meeting, presently scheduled for _____, time: _____, location: _____ which cannot be less than seven (7) days from the date of this notice, and offer evidence in defense of the alleged violation. Please notify the Board as soon as possible via e-mail or letter of your intent to appear at the upcoming Board Meeting. This would also allow the Board to view the premises prior to the meeting, if beneficial to do so.

2. If the Board determines at the hearing that no violation occurred there will not be a fine or other action taken; however the notice of the alleged violation will remain on file, for continuity of policy, but will not be counted toward the fine schedule (see paragraph 4 below). If it is determined that a violation has occurred, the fine, if any, will be due and payable on the first day of the next following month, and, if not paid within this stated timeframe, the fine will be added to the co-owners account as a delinquent assessment payment. Correction of the situation which lead to the Notice first being issued must occur within the time specified in the letter advising of the Board's determination that a violation occurred. If not corrected, uncorrected violation notices will be sent to the violating co-owner and the associated fines will be automatically incremented, as shown in Section 4, every 7-days. The Association retains the right to take corrective or court actions at the co-owner's expense at any time throughout this process.
3. Co-owners who desire to call an apparent violation to the attention of the Board are requested to send, in writing, all available information, such as dates, times, names, addresses, location and description of the apparent violation, and any other pertinent details, to the Association's management agent. A Report of Alleged Violation form is available for this purpose. The report of an alleged violation, whether using a letter or form, must be signed by at least one co-owner, with his/her Unit Number, address and telephone number included. The signature of a second co-owner would be helpful but is not required. Any notices to the alleged violator will not cite the name of the complainant; however, the complainant may be asked to appear at a hearing as a witness if the allegation is disputed.
4. Fine Schedule:
 - a. If it is determined that a violation has occurred, each violation of the same rule, regulation or Bylaw restriction will be counted when applying the following fine schedule, amending those set forth in Article XVI, Section 3 of the Bylaws:
 - 1st violation (first "Notice of Violation" letter, not courtesy letter), no fine
 - 2nd violation, \$250.00
 - 3rd violation, \$500.00
 - Additional violations, \$600.00 each

- b. In addition to the above fine schedule and remedies permitted in the Condominium Documents:
1. Violations of modification to the common elements without Board of Director Approval in writing, or violation of the conditions of an approved modification may be subject to any or all of the following fine(s):
 - \$500.00 per infraction
 - Correction of action to the fullest extent permitted in the Condominium Documents
 - Association Incurred costs received from contractors as a result of co-owner actions
 - Any and all additional costs to the Association incurred to contact all affected parties including all restoration to condition prior to co-owner action.

 2. Tampering with or interfering with Common Element items or systems without Board of Director Approval in writing may be subject to any or all of the following fine(s):
 - \$500.00 per infraction
 - Correction of action to the fullest extent permitted in the Condominium Documents
 - Association incurred costs received from contractors as a result of co-owner actions
 - Any and all additional costs to the Association incurred to contact all affected parties including all restoration to condition prior to co-owner action.

Policy Adopted by Board of Directors: 11/2/15
Effective: 12/26/15
Mailed to Co-owners: 12/16/15