

**OLEANDER PINES HOA**  
**Policy and Procedures for Violations and Fines**

1. The Association will send the initial Notice of Violation to the alleged violating Homeowner by electronic email to the current email address of record, or by regular USPS mail to the current physical address of record, or by hand delivery. The method of Service upon the alleged violating Homeowner(s) shall be determined at the sole discretion of the HOA Board of Directors. This Notice of Violation will identify the violation(s) and require that such violation(s) be corrected within 10 days of the date of the Notice, 30 days for structural matters, or fines may be levied and the Board, at the expense of the violating Homeowner, may take that corrective action. The 10 day and 30 day timeframe for compliance is a recommended timeframe. There may be circumstances when the timeframe may be decreased or increased based on the nature of the violation or due to an emergent nature when the violation affects the health, safety, and welfare of the community. The HOA Board of Directors shall have sole discretion in selecting the time period in which the Violation must be cured.
2. All Notices of Violation, proposed Fines imposition, Fines Imposition, Notice of Right to a Hearing, Scheduling of Hearing, Final Decisions, or any other HOA communication regarding violations, fines, hearings, and decisions shall be sent to the alleged violating Homeowner, subject of the violation, by electronic email to the current email address of record, or by regular USPS mail to the current physical address of record, or by hand delivery, the method of Service upon the alleged violating Homeowner shall be determined at the sole discretion of the HOA Board of Directors.
3. If the violation is not cured within the allotted timeframe, the HOA Board of Directors shall send a Second Notice of Violation in a manner that is in accordance with paragraph 2 above. This Notice of Violation will identify the violation and inform the alleged violating Homeowner(s) of the fines or penalties and/or corrective action by the Board that will be imposed and/or taken if they do not correct the violation within timeframe as stated in the Notice of Violation. A copy of the first Notice of Violation may be resent to the violating homeowner and such copy shall serve as the Second Notice. The 10-day timeframe for compliance is a recommended timeframe. There may be circumstances when the timeframe may be decreased or increased due to the nature of the violation or due to an emergent nature when the violation affects the health, safety, and welfare of the community. The HOA Board of Directors shall have sole discretion in selecting the time period in which the Violation must be cured.
4. If the violation is not corrected after sending the second Notice of Violation, the Board of Directors may levy a fine(s) for the violation(s). The fine(s) shall be approved and levied at a duly noticed meeting of the board. The fine(s) can be \$25.00 per day and up to \$100 per day for each day the violation occurs. In addition, the Board of Directors may take whatever action it feels necessary to correct the violation and the violating homeowner shall pay any cost incurred in the correction of the violation including reasonable attorney fees.
5. If a fine(s) is/are approved and levied by the HOA Board of Directors, HOA Board of Directors will send a letter to the alleged violating Homeowner(s) notifying them that a fine(s) has/have been approved and levied. If the Board of Directors intends to take action to abate and/or correct the violation, the Board of Directors shall notify the violating Homeowner of the action the Board intends to take and shall inform the violating

Homeowner that any costs incurred in the abatement and/or correction of the violation shall be the responsibility of the Homeowner. The letter will state that the alleged violating Homeowner(s) has/have the right, under law, to challenge the amount of the fine(s) by requesting a hearing before the Violations Hearing Committee. The letter shall provide instructions on how to request a hearing.

6. If a hearing is not requested within 10 days from the date the Notice of Right to a Hearing was sent or delivered to the violating homeowner(s), the fine(s) shall be imposed, become final and subject, where applicable under law, of becoming a lien on the Homeowner's property.
7. If a hearing is requested, the HOA, through its Board of Directors or Violations Hearing Committee, shall schedule a hearing and notify the alleged violating Homeowner of the date, time, and location of the hearing. The alleged violating Homeowner shall be given at least 14 days notice of the hearing. Notice shall be provided in accordance with paragraph 2 above.
8. At the hearing, the Violations Hearing Committee shall determine whether the proposed fine(s) shall be imposed and the amount of said fine. The alleged violating Homeowners and a representative(s) of the Association may appear at the hearing to present evidence regarding the violation(s) and fine(s). Evidence may be documentary and or oral testimony. Witnesses shall be allowed to attend and testify as well. Home Owners may be represented by legal counsel.
9. The Committee shall render its decision within 3 days of the conclusion of the Violations hearing. The Committee will notify the Board of Directors, in writing, of its decision within 2 days of rendering its decision. The Board of Directors shall have the right to require the Committee to provide further reasoning and basis for its decision. The HOA Board of Directors shall then send a Decision Letter, in a manner that is in accordance with Paragraph 2 above, to the alleged violating Homeowner(s) notifying them of the decision.
10. All fines shall become a lien on the homeowner's property. If the fine(s) is/are not paid within 20 days or by such other time as fixed by the HOA Board of Directors, the matter may be turned over to legal counsel for enforcement and collection. Any court costs and attorney fees incurred by the HOA in the collection of unpaid fines and charges associated with the abatement and or correction of the violation shall become a lien on the homeowner's property, where application according to law, and shall be paid by the homeowner, within 20 days of notice of assessment. Interest on all unpaid fines, court costs, abatement and correction costs and expenses, and attorney fees shall accrue at the maximum interest rate permitted by law.
11. This document shall serve as a guideline for the HOA. It shall not limit the Association's legal remedies, and the Association reserves the right to proceed with any and all other remedies under the law available to it in the event of any violation.