

**WILLOW CREEK, III, NEIGHBORHOOD ASSOCIATION, INC.  
RULES, REGULATIONS AND POLICIES**

**DATE ADOPTED:**

July 25, 2019

**SUBJECT:**

BOARD'S AUTHORITY TO LEVY FINES

Article VII, Section 2(a) and (b) of the Bylaws for Willow Creek, III, Homeowners Association, Inc., provides, in part:

Section 2. As an incidence of the general powers and duties vested in the Board of Administrators by the Act, the Declaration and these Bylaws, but without limiting such general powers, the Board of Administrators shall be empowered with the following authority and shall have the following duties:

- (a) To administer and enforce the covenants, restrictions, uses, limitations, obligations and all other provisions set forth in the Declaration.
- (b) To establish, make and enforce compliance with such reasonable rules as may be necessary for the operation, use and occupancy of Willow Creek Condominium, III, with the right to amend such rules from time to time. A copy of all rules and regulations shall be delivered or mailed to each member of the Association promptly upon the adoption thereof.

**RESOLUTION:**

**BE IT RESOLVED AND ADOPTED** by the Board of Directors of the Willow Creek, III, Neighborhood Association, Inc. ("the Association") that pursuant to the authority granted the Board of Directors by Article VII, Section 2(a) and (b) of the Bylaws of the Association that from and after the date of adoption of this Resolution, the Board shall have the authority to levy fines pursuant to a reasonable fine schedule adopted by the Board for the failure of any owner to abate any violation of a covenant, condition or restriction, or any duly adopted rule, regulation or policy of the Association after receiving notice of such violation. An initial notification letter will be sent to the owners making them aware of the violation or noncompliance. If the violation is not abated within a designated time to be determined by the Board and set out in the notice, a second letter will be sent warning of a potential fine if the violation is not abated by a designated date. After such second notice has been provided to the owners, and the owners have been given a reasonable opportunity to abate the violation, or in the alternative to request an opportunity to be heard by the Board regarding the violation, the fine may be assessed. The fine shall be reasonable taking into consideration the particular circumstances, and the Board reserves the right to increase any fine, and the frequency of the fine, to an amount it deems necessary and appropriate as the circumstances dictate without further resolution of the Board. Any fine so assessed by the Board shall be considered an additional assessment against the owners' account under the governing documents of the Association and may be enforced in like manner as any other assessment of the Association, including but not limited to filing a lien against the owner's unit to secure payment of the fine. Owners of record shall be responsible for payment of any fines assessed as the result of the conduct of a tenant, guest or licensee of an owner or tenant.

Done and effective the date adopted as indicated above.

  
Board of Directors Member


  
Board of Directors Member

  
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***Failure by the Board of Directors to enforce any covenants, condition, restrictions or rules and regulations of the Association will not be deemed a waiver of the right to do so thereafter.***