

MONETARY PENALTY POLICY
Adopted: August 1998
Revised: August 2011
Effective: September 1, 2009

Monetary penalties for violations of the CC&R's, Bylaws, and rules of the Association shall be imposed uniformly according to the procedures set forth as follows:

Written notice will be sent to the homeowner at the mailing address as it appears on the records of the Association at the time of notice. The **FIRST NOTICE** shall be a violation letter with no fine imposed and shall give the owner 14 days to comply. The notice shall include:

- (1) The nature and date of the violation.
- (2) A date for correction of the violation.
- (3) The fact that a monetary penalty may be imposed for failure to correct the violation or for repeat violations of the same rule as determined by the Board. The amount of the monetary penalty will be given.

If the violation is not corrected within the time period specified in the first letter or if the same violation reoccurs within a ninety (90) day period of the previously written notice, a second notice will be sent. The **SECOND NOTICE** shall be a violation letter with no fine imposed and shall again give the owner 14 days to comply. The second notice shall include:

- (1) The nature and date of the violation and the date of first notice to owner.
- (2) A date for correction of the violation.
- (3) The fact that a monetary penalty will be imposed with no further notice to the homeowner for failure to correct the violation by the stated deadline or for repeat violations of the same rule as determined by the Board. The amount of the monetary penalty will be given.

If the violation is not corrected within the given date or if the same violation reoccurs within a ninety (90) day period of the previously written notice, a **THIRD NOTICE** will be sent. The third notice shall include:

- (1) The nature and date of the violation and the dates of the first and second notices to owner.
- (2) The fact that a monetary penalty has been imposed. The amount of the monetary penalty will be given.
- (3) The manner in which the owner will be provided with an opportunity to be heard with respect to the violation and/or the monetary penalty.

The owner will be provided an opportunity to appeal the violation and the fine in the following way:

- (1) Within fourteen (14) calendar days following the date of the third notice, the owner must appeal the fine in writing to the Board.
- (2) Appeal shall demonstrate extenuating circumstances which require deviation from the CC&R's and/or guidelines.
- (3) Appeal shall include all pertinent backup information to support the existence of the extenuating circumstance.

Gilbert Ranch Monetary Penalty Summary:

- A monetary penalty will be assessed in accordance with the attached Monetary Penalty Schedule for an uncorrected violation of the same article of CC&R's, Bylaws, and/or rules of the Association.
- Subsequent violations of the same rule occurring within a 90-day period, will be assessed a fine for each violation. (See attached fine schedule).
- The period for corrective action will in all cases be a minimum of fourteen (14) days.
- At any time the Board may exercise the option to pursue corrective action through legal means.
- All decisions of the Board are final and may not be further appealed.