

Wedding Canyon Estates II Owners Association

Covenant Enforcement Policy and Procedure

Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

1. Scope:

To adopt a procedure and policy outlining procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

2. Specifics:

Violations may be observed by the Board of Directors, the management company, a committee member or by one or more Association Owners. Violations submitted by Owners must be reported via written correspondence through e-mail, digital communication, or first-class mail service. The complaint must state the violation observed specifically citing the Governing Document, CC&R article, number, and letter (if applicable), and include a picture of the violation (if applicable), who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information such as license plate numbers, etc. If full details are not provided with a complaint, action beyond additional observation may not be made. The Board may investigate the complaint further and will make additional observations if required.

Violation Complaint Submission Forms and accompanying documentation are not available to the public or Owners for viewing at the management company or Association addresses. Forms are received and considered by the Board in Executive Sessions only at the next scheduled Board meeting. This means if you are an Owner receiving a Violation, you will be provided no information on how the Violation was brought to the attention of the Board.

Any complaint that is found to be in violation of a municipal code will be reported to the appropriate authorities by the Board immediately for Association health and safety reasons.

If a violation is confirmed by the Board or management company and fully documented, the following actions will be taken:

- **1st Notice:** A letter of notification and photo will be sent to the Owner (and lease tenant if it is known that the residence is being used as a rental) stating that a Violation has occurred while referring them to the governing documents which appear to be in violation. The 1st Notice letter allows the Owner to forward documentation if they believe the Violation did not occur. The Owner has ten (10) days to respond to the letter or to correct the Violation.
- **2nd Notice/Violation Letter:** If the Violation is still observed after fourteen (14) days from Board or HOA management company verification, a second letter will be sent to the Owner (and lease tenant if applicable) stating that a fine of \$100.00 has been added to the

Owners account. The Owner will have seven (7) days to correct the violation or request a hearing with the Board (see Dispute Resolution Policy for specifics).

- If at the hearing it is found that the Violation did (does) occur, the Owner will be charged a fine from the seventh (7th) day after the date of the second letter. The Association will charge the Owner \$100.00 per Violation.
- If a hearing is not requested by the owner within seven (7) days of the second violation letter, fines of \$100.00/day, per occurrence, will continue until the documented Violation is corrected. The \$100.00/day fine starts twenty-one (21) days after the first letter was sent if no hearing is requested.
- It is the responsibility of the Owner to notify and submit proof to the Board that a Violation has been rectified.
- The BOD may also give the Owner 14 days' notice that if the Violation is not corrected, the Association will fix the issue and charge the Owner directly for all associated costs to remedy the situation.

Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.


Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in Violation of the CC&Rs in the previous thirty (30) days.

- 3. Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
- 4. Supplement to Law:** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
- 5. Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
- 6. Amendment:** The Board of Directors may amend this procedure from time to time.

President's Certification: The undersigned, being the President or elected Director of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

Wedding Canyon Estates II Homeowners Association



President or Elected Director

Effective Date: 2-23-2022