

THE VINEYARD HOMEOWNERS ASSOCIATION
“ENFORCEMENT OF DECLARATIONS, POLICIES, PROCEDURES, RULES AND REGULATIONS”
(ENFORCEMENT) POLICY
Policy Amendment Effective: June 1, 2012

The purpose of this amendment is to expand and clarify this policy’s procedure (Sanctions) and to change the Fine levels under Paragraph 3 “Sanctions”, subparagraph (b). This amended policy replaces the original policy of the same name dated June 1, 2006. The following is the amended policy in its entirety:

- SUBJECT:** The Declaration of C.C.&R.s (hereinafter referred to as the Declaration) are in place for the betterment of our community. To be effective, all members of the Association must abide by them. One responsibility of the Association’s Board of Directors (hereinafter referred to as the Board of Directors) is to ensure that all members follow the provisions.
- PURPOSE:** To expand and clarify this policy’s procedure regarding Sanctions and to increase the Fine levels as stated above in order to provide a greater means of enforcement of the Declarations, Policies, Procedures and Rules and Regulations.
- AUTHORITY:** The Declaration of Covenants, Articles and Bylaws of the Association and Colorado Law.
- EFFECTIVE DATE:** June 1, 2012
- RESOLUTION:** The Vineyard Homeowners Association hereby adopts the following policy and procedure:

PROCEDURE:

1. **Violations:** Engaging in any activity prohibited by the Declarations, Policies, Procedures, Rules and Regulations of the Association constitutes a violation. Members are encouraged to self-govern and resolve problems between themselves in a neighborly fashion. Any member may report violations to any member of the Board of Directors. However, the Board of Directors may enforce the provisions of the Declaration, Policies, Procedures, Rules and Regulations against any member of the Association for any violation at any time.
2. **When a violation has occurred:** If the Board of Directors has determined that a violation has occurred, the Board of Directors will notify the person who has violated the Declaration, Policies, Procedures, Rules and Regulations. If the violator has not remedied the violation, the Board of Directors will determine the appropriate sanction to be applied. The Board of Directors, in their sole discretion, based on all the facts and circumstances, may determine to increase, reduce, or

eliminate the sanction for any violation or to combine such sanction with the notice provided for herein.

3. **Sanctions:** Sanctions for violations MAY include:

- a. A written notice which will include an expected date for compliance and a provision for a formal written request from the homeowner to the Board of Directors, if there are extenuating circumstances that prevent the homeowner from meeting the completion date. The written formal request shall give an explanation of the extenuating circumstances along with a request for a new completion date that the homeowner agrees to adhere to.
- b. **Fines:**
 - First Offense = Seventy five dollars (\$75.00)
 - Second Offense = One hundred fifty dollars (\$150.00)
 - Third and subsequent offenses = Two hundred dollars (\$200.00) and up;
- c. Termination of member voting rights and use of common space areas;
- d. Levying an assessment, as provided in the Declaration, to repair or remedy any damage, physical, aesthetic, or otherwise caused by the violation; and
- e. Seeking a remedy at law or in equity including, but not limited to, an injunction prohibiting further violations, money damages, costs and attorneys' fees incurred in seeking such remedy, as provided for by the Declaration.

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 Community.

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.

AMENDMENT: This policy may be amended from time to time by the Board of Directors.

BOARD CERTIFICATION:

The undersigned, being the Treasurer and the Secretary of the Vineyard Homeowners Association, a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Vineyard Homeowners Association on April 28, 2012, and in witness thereof, the undersigned have subscribed their names.

VINEYARD HOMEOWNERS ASSOCIATION

A Colorado non-profit corporation,



Lee Wildhaber, Treasurer



Mary Ann Grant, Secretary