

Declaration Enforcement Procedures

The enforcement power of the Association is set forth within the Declaration of Association for Everleigh Estates Homeowners Association. The Board of Directors will follow the procedures outlined in the Architectural Enforcement Rules Addendum (see below) regarding enforcement of the guidelines, rules and restrictions set forth.

EVERLEIGH ESTATES HOMEOWNERS ASSOCIATION, INC. ARCHITECTURAL ENFORCEMENT RULES ADDENDUM

In accordance with the powers granted to the Board of Directors (the "Board"), in the Governing Documents, the Board has decided to ADD the following enforcement procedures to help ensure compliance with our Declaration and to promote a steady growth of property values throughout the Community.

1. Upon receiving any notice of a violation of the Declaration or Community Standards, the Property Manager shall send the Homeowner written notice of the violation. The purpose of this letter is to notify the Homeowner of the violation and the steps that the Homeowner must take to correct the violation. The First Notice shall include a grace period of fifteen (15) days for the Homeowner to comply. A copy of this letter will be provided to the Board and kept in the Homeowners file.
2. Should the Homeowner fail to correct the violation within the grace period provided by the First Violation Notice, the Property Manager shall send the Homeowner a second letter advising the Homeowner of the continuing violation. This letter shall advise the Homeowner of the violation and the steps that the Homeowner must take to correct the violation. Further, the Second Violation Notice shall advise the Homeowner that if the violation continues after an additional grace period of seven (7) days, the Homeowner is subject to a fine and any costs, including attorney fees, incurred by the Association to bring the Property into compliance. A copy of this letter will be provided to the Board and also kept in the Homeowners file.
3. Should the Homeowner still fail to correct the violation within the additional grace period provided by the Second Violation Letter, the Property Manager shall immediately notify the Board of the continuing violation. The Board shall impose a 3rd violation notice with a fine of \$50.
 - a. The Fine Notice will identify the following information:
 - i. The nature of the violation and the steps needed to return the Property to compliance.
 - ii. The amount of the fine.
 - iii. The name, address and telephone number of a person to contact to challenge the fine.
4. Should the Homeowner still fail to correct the violation within the stated date, the Property Manager shall notify the Board of the continuing violation. The Board shall impose a 4th violation notice with a fine of \$100.

- a. The Fine Notice will identify the following information:
 - i. The nature of the violation and the steps needed to return the Property to compliance.
 - ii. The amount of the fine.
 - iii. The name, address and telephone number of a person to contact to challenge the fine.

5. Any violation continuing after the designated correction time stated in the 4th violation and fine will result in any or all of the following.

- a. Homeowner's may be fined \$25 per day until the infraction is corrected.
- b. The violation could be corrected by a contractor at the Board's direction and the Homeowner billed for the correction.
- c. Attorney action with all costs incurred being assessed to the delinquent homeowner.
- d. Any other action deemed necessary by the Board.

NOTE

The Homeowner may request a hearing before the Board. Failure to exercise this right constitutes a waiver thereof.

Should a hearing be requested, it shall be held before the Board in executive session, and the Homeowner shall be given a reasonable opportunity to be heard. A hearing must be requested within 10 days of receiving the notice. The minutes of the meeting shall contain a written statement of the results of the hearing. No fine shall be imposed prior to the completion of such hearing. A homeowner may only request one hearing per specific violation. Once the board has made a decision, no other hearings will be granted.

All notice of violations stand for a period of 12 months. If a homeowner does not repeat that specific infraction for a period of 12 months, the next notice of violation received would be a First Notice of Violation. This policy does not eliminate violations prior to the date of this mailing. Prior violations will count with the next violation following the previously stated policy.

If you have any questions, please call Bradley White at Sentry Management at 404-459-8951 x 104.