



COMMUNITY ASSOCIATION

COMPLIANCE POLICIES & PROCEDURES EFFECTIVE AUGUST 1, 2016

WHEREAS, Prescott Lakes Community Association (the “Association”) is governed by its Board of Directors (“Board”);

WHEREAS, Article VII, Paragraph 7.4(a) of the Association’s CC&Rs states that “Every Owner and occupant of a Unit shall comply with the Governing Documents” and provides a number of sanctions that may be imposed on an Owner should they fail to comply; and

WHEREAS, Article III, Section C, Paragraph 3.24 of the Association’s Bylaws provides procedures regarding notification to owners in violation of the Governing Documents, as well as giving the Association the power “to impose sanctions for any violation of the Governing Documents”; and

NOW THEREFORE, the Board hereby adopts the following compliance policy and procedure in an effort to maintain, preserve, enhance, and protect the property values and assets of the community:

1. The owner shall be advised in writing with a “Courtesy Notice”. The Notice will specify the nature of the violation, the provision of the Document that has been violated, the date the violation was observed, the first and last name of the person(s) who observed the violation, and the process the member must follow to contest the notice. The owner will be given at least ten business days to correct the violation, contest the notice pursuant to statute and/or request an opportunity to be heard.
2. If the owner does not comply with the requests in the “Courtesy Notice”, the Association will send a “First Notice of Non Compliance” that specifies the nature of the violation that remains unresolved and the proposed penalty or sanction, information pertaining to the manner in which the penalty or sanction shall be enforced (i.e. monetary penalty posted to account, vehicle tow, etc.), amount of monetary penalty (if applicable, see fine schedule), as well as state that the proposed penalty or sanction shall be imposed as contained in the Notice unless a challenge is begun, or a written request for a hearing with the Board is received, within 10 (ten) business days of the Notice.
- 3(A). If the owner complies but requests an opportunity to be heard regarding the potential monetary penalty, the Association will respond within ten business days.

- 3(B). If the owner does not comply, but requests an opportunity to be heard regarding the potential monetary penalty, the Association will respond within ten business days.
- 3(C). If after ten business days of sending the “First Notice of Non Compliance”, the owner does not comply, and does not request an opportunity to be heard, the Association may, but is not obligated to, send a “Notice of Self Help” which will specify the way, and timeframe, in which the Association will cure the violation on the owner’s behalf, as well as state that the cost associated with any action by the Association will be back-charged to the owner’s account, and provide the owner right to be heard.

The Board may elect to enforce any provision of the Governing Documents by self-help (specifically including, but not limited to, towing vehicles that violate parking rules) or by suit at law or in equity to enjoin any violation or to recover monetary damages or both. In any such action, to the maximum extent permissible, the Owner or occupant responsible for the violation of which abatement is sought shall pay all costs, including reasonable attorney's fees actually incurred. Any entry onto a Unit for purposes of exercising this power of self-help shall not be deemed as trespass.

At the Board’s discretion, in lieu of Self Help, the Association may continue with subsequent Notices of Violation and corresponding fines on an escalating scale (see fine schedule) until the violation is cured. At any time after the 10 (ten) day period of the “First Notice of Non-Compliance” has expired, the Association may turn the matter over to legal counsel for legal action.

Approved 06.09.2016