

## **Prestwick POA Covenants and Restrictions Compliance Policy**

As a result of the persistent violation of the provisions of the “Declaration of Covenants and Restrictions of Prestwick Property Owners Association, Inc.” on the part of several property owners, the POA Board is implementing a Compliance Policy that includes a schedule of fines for all violations of the covenants and restrictions in a concerted effort to bring all property owners in compliance with the covenants and restrictions.

Any property owner who observes a violation of the covenants and restrictions shall initiate the Compliance Policy by sending a letter of complaint to our Property Management Company (**PMC**). The letter must contain the offending property owner’s name and/or address, the nature of the violation, and the name and signature of the complaining party. The complaining party must be willing to present their evidence at any requested hearing by the offending party. Our **PMC** or Board Members may also initiate the Policy. The first step requires the **PMC** to contact the offending property owner and discuss the violation with said owner making him or her fully aware of their responsibilities with respect to the covenants and restrictions. A second violation by the same property owner or member of their residence will result in a formal letter of notification from the **PMC** to the offending property owner. This letter will state that any future violation will result in a fine of \$50.00 being added to the offending homeowners’ quarterly assessment. Any subsequent violation will result in a formal letter from the **PMC** plus the \$50.00 fine. Among other things this letter will notify the homeowner that should another violation occur within 30 days of the date of the letter that the homeowner will receive another letter and a fine of \$100.00. The letter announcing the \$100.00 fine will include among other things, notification to the homeowner that another violation within 30 days of the date of that letter will result in another letter and a fine of \$200.00. The letter associated with the \$200.00 fine will include among other things, notification to the property owner that all subsequent violations will result in additional fines of \$200.00 per violation.

A property owner receiving a \$100.00 fine and not having a violation within 30 days of the notification letter but having one within 60 days of the letter, will receive another \$100.00 fine and another letter reiterating the fine escalation policy and time limits. A property owner receiving a \$100.00 fine and not having another violation within 60 days of the letter of notification will receive a \$50.00 fine and a letter reiterating the fine escalation policy and time limits.

A property owner receiving a \$200.00 fine and not having a violation within 30 days of the notification letter but having one within 60 days of the letter, will receive a \$100.00 fine and another letter reiterating the fine escalation policy and time limits. A property owner receiving a \$200.00 fine and not having another violation within 60 days of the letter of notification will receive a \$50.00 fine and a letter reiterating the fine escalation policy and time limits.

The board, at its discretion, may elect to advise a homeowner that his/her previous record of violations has reached a point whereby the reduction of fines for “good behavior” is no longer appropriate and that all subsequent violations will result in fines of \$200.00 for each occurrence. Furthermore, if two \$200.00 fines do not eliminate the violations, the Board reserves the right to seek a court order against the homeowner pertaining to the violations and to assess the homeowner involved for all costs, including attorney’s fees, associated with seeking and/or obtaining such a court order.

Any property owner receiving a fine has the right to appeal the fine by requesting, in writing within fifteen days of receiving notification of the fine, a hearing before the Board of Directors.