

AMENDMENT IV

TO

TOWN'S SUMMIT HOMEOWNERS ASSOCIATION DIV. 1 & 2 BYLAWS

The following changes and additions were made to the Town's Summit HOA Div. 1 & 2 Homeowners Association Bylaws, approved at the 2013 Annual Homeowners Meeting.

Towns Summit Homeowners Association (HOA) Covenants, Conditions and Restrictions (CC&Rs) Violation Policy

An important function of the Board of Trustees (Board) is to maintain property values and enhance the quality of life for all property owners through enforcement of the HOA Bylaws and CC&R's.

Reasonable efforts are made to notify property owner when a violation is observed and to explain or answer any questions related to a violation notice. "First Notice of Violation" are the norm, but if a violation continues, fines may be imposed and a lien can be levied against a property. It should not come as a surprise to property owners that there are restrictions on certain behaviors in a Community Association. Protective CC&R's (historically) help maintain property values, promote courteous habits among neighbors and provide a framework of standards that a home buyer may expect when purchasing in the Town's Summit subdivision. Co-operation is respected and appreciated by all Towns Summit residences.

The goal of adopting this policy for violation notification is so the homeowners are aware of ongoing problems that affect their neighbors and the overall quality of the neighborhood. This policy is intended to provide an incentive to property owners to address problems that aren't being corrected. The process includes multiple notifications and ample time to take corrective actions.

Fines are authorized per the State Law governing Homeowners Association. RCW.64.38. under the Association powers, Section 64.38.020(11). The fines levied will be added to the property owner's assessment for the year, and will constitute a lien on the owner's property within Town's Summit subdivision.

The Board contact information is included at the end of this policy and the Board encourages property owners to contact them if there is any question concerning this policy or its procedures. Property owners may request a Board hearing at any time during the process. Failure by the property owner to request a Board hearing within the 10 days of receipt of the Third Notice of Violation shall waive their opportunity for a hearing. Once the violation has been corrected and verified by the Architectural Control Committee (ACC) the notice of violation will be closed, but a record of the violation will remain in the HOA file.

1. First Notice of Violation

When the Board receives a complaint of a violation of the CC&R's the ACC will document and review the complaint. If it's verified, the ACC will send the property owner a First Notice of Violation letter citing the specific violation(s) and requesting correction within 10 days. If the degree and urgency of such violation warrants the property owner shall be notified directly. The notice will be sent to the property owner of record.

- (a) If the property owner fails to correct the cited violation within a period of 10 days, a Second Notice of Violation will be sent. The Board will utilize Certified and First class mail for any mail that is sent concerning violation(s).

2. Second Notice of Violation

The second Notice of Violation will inform the property owner of the following:

- (a) Date of First Notice of violation
- (b) The nature, description and location of the violation.

(c) The failure of the property owner to correct the violation within 10 additional days a Third Notice of Violation will be sent and **finances assessed**.

3. Third Notice of Violation

When it has been determined that the owner has failed to correct the violation within 10 days of the Second Notice of Violation, the ACC will send a third certified written notice to the property owner informing the recipient as follows

- (a) Dates of 1st and 2nd notice violations
- (b) The nature, description and location of the violation.
- (c) The failure of the property owner to correct the violation, as previously requested by the 1st and 2nd notice.
- (d) Failure to correct the violation after the Second Notice of violation letter will result in a **\$30** fine plus administrative cost. If the violations are not corrected within 10 days, additional fines can be assessed.

Hearing Procedure: When a property owner request a hearing the Board will work with the property owner to set a date for the hearing. During the hearing the property owner will be able to contest the Notices of Violation, explain the circumstances surrounding any failure to correct violation(s) and or contest any fine that is assessed. Once the property owner's case has been stated the Board will take the comments under advisement and notify the property owner of it's decision, by email, within 3 days.

- (a) The ACC will provide uniform enforcement and tracking of homeowner violations.
- (b) The property owner will remain liable for all costs and fines subject to collection efforts as provided by state law.
- (c) Repeat Violations: If a violation of the same nature is repeated within any one (1) year period after the last violation letter was sent, the violation letter process will continue uninterrupted.
If a violation of the same nature reoccurs one (1) year or more after the last violation letter was sent, the violation will be considered new and the process starts from the beginning, or first letter.

This policy does not limit the Association in pursuing other remedies for violations. The Board may at any time determine it to be at the best interest of the HOA to transfer any matter, including violation matters to Legal Counsel and possible litigation. Failure to correct any violation, or stop work on any correction of a violation could result in the Board electing to pursue all legal and available means as prescribed by the CC&R's, Bylaws, and this Violation policy.

Board Contact Information:

Mail: P.O. Box 3367, Silverdale, WA 98383

Email: tshoa@townssummithoa.org (Preferred)

Website: www.townssummithoa.org