

COMPLAINT AND FINE PROCEDURES

November 12, 2007

1. Upon receiving a complaint or observing a violation of the Covenants, Conditions, and Restrictions and/or a policy of Architectural Review Committee (ARC), the Management Administrator will send a Courtesy Notice that will:
 - a. notify the homeowner of the alleged violation
 - b. cite the authority for the violation
 - c. request the homeowner correct the violation within 10 days
 - d. request the homeowner report the corrective action taken or indicate why no violation is believed to exist.
2. Once the violation continues for 10 days after the Courtesy Notice is sent, if no response is received or if the homeowner's response is not accepted by the ARC, the Management Administrator will send a Notice of Violation informing the homeowner of:
 - a. the violation
 - b. the action required to correct the violation
 - c. the period of time (10 days after the Notice of Violation is sent) by which the violation must be corrected before a fine is imposed.
3. If the violation is not corrected within 10 days after the Notice of Violation is sent, a fine will be imposed.
4. If the homeowner has previously been sent a Courtesy Notice or Notice of Violation concerning a violation, a second similar violation will result in the issuance of a Notice of Violation (i.e., no Courtesy Notice will be issued first). The third and all subsequent similar violations will result in the immediate imposition of a fine.
5. Once notified of the imposition of a fine, the homeowner will be allowed 10 days to appeal to the Board of Directors by making application through the Management Administrator. Fines will go into effect after the expiration of the 10 day appeal period.
6. Fines will be imposed as follows.
 - a. Parking on the lawn/sidewalk and/or overnight: first violation \$50, second violation \$100, third and subsequent violations \$500.
 - b. Storing a boat, trailer or camper over 48 hours: first violation \$50, second violation \$100, third and subsequent violations \$500.
 - c. Failing to keep property in a clean and orderly manner: first violation \$50, second violation \$100, third and subsequent violations \$500.
 - d. Window or wall air conditioner: first violation \$50, second violation \$100, third and subsequent violations \$500.

- e. Failure to complete construction within 12 months: \$50 per day.
- f. Allowing pets to make objectionable noise or cause inconvenience to owners of other lots: first violation \$50, second violation \$100, third and subsequent violations \$500.
- g. Displaying decorations and/or vegetation on a mailbox (except for natural vegetation planted in the ground below the mailbox and tasteful street number and street name plaques); displaying flags or pendants (except as allowed by the ARC Flagpole Display policy); displaying signs (except as allowed by the ARC Policy on Signs); displaying artificial vegetation, exterior sculptures, and similar items without ARC approval: first violation \$10, second violation \$50, third and subsequent violations \$100
- h. Removal of a tree with a 6" or greater diameter measured 2' above the ground without prior ARC approval: first violation \$50, second violation \$100, third and subsequent violations \$500. In addition to paying any imposed fine, the homeowner must plant a tree with a diameter of at least 5" measured 2' above the ground in an ARC approved location for **each** tree removed.
- i. Fines for violations other than those above may be imposed by the ARC.

7. Failure to correct a violation within 10 days will be considered an additional violation for the purposes of imposing fines.

- 8. Once a fine has gone into effect, the homeowner loses the right to appeal the fine to the Board of Directors. The Management Administrator will send a letter advising the homeowner that the fine has gone into effect and that a lien will be placed on the property if the fine is not paid. If unpaid fines accumulate to \$2,000 or more, the Rock Creek Property Owners Association will commence foreclosure proceedings.

THE ABOVE IS CONSISTENT WITH BYLAW 10.2 AS AMENDED AND BOARD/ARC POLICIES AND PROCEDURES. THIS PROCEDURE IS NOT INTENDED TO LIMIT THE USE BY THE ASSOCIATION OF ANY OTHER REMEDIES OR ENFORCEMENT PROCEDURES OTHERWISE AVAILABLE UNDER THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS; THE BYLAWS; OR APPLICABLE LAW.