

Memorandum

To: Aspen Hills Owners

From: Aspen Hills Board

Date: 5/18/2022

Voted on and approved by the board on July 19th 2022

RE: Fine Policy

Fine schedule, policy, and appeal process for violations of the CC&R's, Bylaws and rules and regulations as may be adopted or modified from time to time by the Board of Directors for the Aspen Hills Owners Association.

The scope and intent of this resolution is to apply uniformly to ALL members of the Association. The board will review and act upon any complaints/concerns from the members.

Violations will be cumulative for the fiscal year.

1. **First Notice:** Warning/reminder letter shall be mailed to the lot owner giving (30) days to comply- **NO FINE.**
2. **Second letter:** Letter stating a fine in the amount of **\$25.00** will be assessed and is due immediately, giving notice to the lot owner that they have a right to a hearing and must contact the President, Vice-President, or Treasurer of the HOA for date and time. Thirty (30) days to comply.
3. **Third letter:** starting subsequent fine of **\$50.00** will be assessed and is due immediately for continuing violations. Letter to state total fines assessed as of the subsequent violation. Thirty (30) days to comply.

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4. **Fourth and all letters thereafter:** stating subsequent of **\$75.00 to \$200.00** will be assessed and is due immediately for continuing violations. Letter to state total fines assessed as of the subsequent violation. Thirty (30) days to comply.
 5. **Subsequent non-compliance:** Upon board approval. The Association will seek relief of violations through the Association Attorney and the Court system which could include a lien on the property. ALL costs will be a part of the judgement that is being sought.

Violations: Any violation that threatens the health, safety and welfare of lot owners and residents such as drug use and sales, vandalism, arson, and any other violation that the Board deems to be of an egregious nature will be fined at **\$200.00 to \$500.00** per occurrence.

Appeal Process:

- When a violation notice is sent to a lot owner, such notice shall include a statement notifying the lot owner that he/she has the “RIGHT OF APPEAL”.
- When a lot owner desires to appeal a violation, he/she must notify the Board in writing within fifteen (15) days after the date of violation notice.
- Appeals shall demonstrate **extenuating circumstances** which require deviation from the CC&R’s and/or guidelines.
- Appeals shall include all pertinent backup information to support the existence of the **extenuating circumstances**.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered **DENIED**.
- If the appeal is denied, the lot owner must bring the violation into compliance within thirty (30) days. If the violation still exists after thirty (30) days, the lot owner will be fined up to **\$200.00** every fifteen (15) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the lot owner and collected in the same manner as the assessment.