



## **BOSQUE DEL RIO HOMEOWNERS ASSOCIATION**

### **VIOLATIONS POLICY**

In the event of notice in writing from a member or discovery of an alleged violation by the Board or one of the Committees, the following shall apply:

**1. Determination of Violation:**

The Board of Bosque del Rio Subdivision shall make the determination of whether or not a violation exists.

**2. Seeking Cure:**

If the alleged violation is determined to be an actual violation of the CC&R's of the Bosque del Rio Homeowners' Association, the Board will notify the owner in writing of the violation and ask that the violation be cured within a reasonable period of time.

**3. Non-Compliance:**

If the violation continues beyond the time allowed as stated in the Notice of Violation (Courtesy Letter), a Second Notice will be sent asking that the violation be cured within a reasonable period of time. If the violation continues beyond the time allowed as stated in the Second Notice of Violation, a Third Notice will be sent. If the violation continues beyond the time limit set in the Third Notice of Violation, a hearing will be scheduled.

A Notice of Hearing will be sent at least fifteen (15) days prior to the Hearing. The Notice shall contain a written statement of charges setting forth the acts or omissions charged. The Complaint shall identify the specific provisions of the Declaration of Covenants, Conditions and Restrictions or the Rules or Regulations which the Respondent is alleged to have violated. The Notice of Hearing shall contain as many specifics available as to time, date, location, persons involved, etc. The Respondent may be accompanied by legal counsel at the Hearing.

Violations that are deemed potential health or safety risk to association members only need an initial violation letter before a hearing will be scheduled. The Notice of Hearing can be issued with as little as five (5) days prior. The board reserves the right to determine what constitutes a health or safety issue.

**4. Hearing:**

A Hearing Committee will be appointed by the Board to conduct the Hearing and may recommend that the Board invoke any or all of the following sanctions:

- A. Impose a one-time fine, not to exceed \$500.
- B. Impose a recurring fine, not to exceed \$100 per week.
- C. Cause the violation to be cured and charge the costs thereof to such owner.
- D. Obtain injunctive relief against the continuance of such violation through the Court system, owner will be liable for court fees.

The decision may be made at the conclusion of the Hearing, or it may be postponed to no later than ten (10) days hence. The decision of the Committee shall be served by the Board on each party in the matter. A summary of the decision shall be included in the records of the Association.

**Adopted: 12/12/00**

**Updated: 1/16/15**