

SUNSET HILLS HOMEOWNERS ASSOCIATION, (INC.)
A Non-Profit Organization

FINE POLICY and SCHEDULE of FINES
January 1, 2025

WHEREAS Article XIII, Section 1 of the Declaration of Protective Covenants grants the Board of Trustees with the authority to conduct Association business and community harmony by providing guidelines and a procedure for addressing conditions that disrupt that harmony.

WHEREAS the Board of Trustees is authorized to enforce timely assessment payments, as a means to ensure compliance from owners with Rules and regulations and other policies enacted in accordance with the governing documents, by assessing monetary penalties against owners, their guests, occupants, and renters who are in violation.

IT IS RESOLVED THAT the following Schedule of Fines will be followed:

1. FINES FOR SPECIFIC OFFENSES:

1.1. ARCHITECTURE UNAPPROVED	Warning (in writing), \$250, Plus cost to restore original condition
1.2. EXCESSIVE NOISE	\$100 per occurrence
1.3. PARKING	Warning (in writing), \$25 first violation, \$50 second violation, \$100 for each occurrence thereafter plus vehicle may be towed at owner's expense.
1.4. PETS MISBEHAVIOR	Warning (in writing), \$25 first violation, \$50 second violation, \$100 for each occurrence the occurrence.
1.5. NUISANCES OR UNSIGHTLY CONDITIONS	Warning (in writing), \$25 first violation, \$50 second violation, \$100 each occurrence thereafter.
1.6. LANDSCAPING	Warning (in writing), \$25 first violation, \$50 second violation, \$100 for each occurrence thereafter.
1.7. OCCUPANCY VIOLATIONS	Warning (in writing) then \$500 per 10 days until resolved.
1.8. SMOKING IN COMMON AREAS	Warning (in writing), \$25 first violation, \$50 second violation, \$100 for each occurrence thereafter.
1.9. OTHER VIOLATIONS OF THE DECLARATION	Warning (in writing), \$25 first violation, \$50 second violation, \$100 for each occurrence thereafter.

2. FINE PROCEDURES

2.1. NOTIFICATION: Before assessing the first fine for a particular violation, the board shall: (1) notify the Owner/Occupant of the violation in writing, (2) inform the Owner/Occupant that a fine will be imposed if the violation is not remedied within 48 hours, and (3) inform the Owner/resident he/she/they may request an informal hearing to protest or dispute the fine within 14 days from the date the fine is assessed.

2.2. Request a Hearing: An Owner/Occupant who is assessed a fine may request an informal hearing to protest or dispute the within 14 days from the date the fine is assessed. The hearing requested shall be conducted in accordance with the standards provided in Section 6 below.

2.3. Unpaid Fines: All unpaid fines shall accrue interest and late fees as provided in the CC&Rs. Unpaid Fines may be collected as an unpaid assessment as set forth in the CC&Rs.

2.4. Appeal Process: Any Owner/Occupant receiving a fine, who believes no violation occurred, may submit a written explanation to the Board of Directors. The owner/occupant will be given an opportunity for a hearing and no enforcement will be imposed until after the hearing.

2.5. Hearing Procedures:

- 2.5.1.** As a part of the notice of the violation, a date specified by which a hearing must be requested. The Owner/Occupant must prepare a request for hearing and mail the request to the board in sufficient time to arrive no later than the last date stipulated in the notice of violation.
- 2.5.2.** The chairperson of the Association will schedule the hearing before the Board at the next regular board meeting if time permits the proper notification to the alleged violator. If there is not sufficient time for such notification, the hearing will be scheduled for the following regular board meeting.
- 2.5.3.** Once the Chairperson has determined when the hearing will be conducted, the board will notify the alleged violator of the date and time of the meeting during which the hearing will be conducted. The hearing will be conducted in "Executive Session" at a regular or special meeting of the board.
- 2.5.4.** At the hearing, the board will hear and consider arguments, evidence, or statements regarding the alleged violations. Following a hearing and consideration, the board will issue its determination regarding the alleged violation and notify the alleged violator within 15 days of the date of the hearing. The decision of the board will be final and binding on the alleged violator and complainant.
- 2.5.5.** No interest or late fees may accrue until after the hearing has been conducted and a final decision has been made.
- 2.5.6.** If no request for a hearing is filed within the prescribed period of time. A hearing will be considered waived and the allegations contained in the notice will be deemed admitted and any prescribed remedy will be instituted.
- 2.5.7.** Failure of an alleged violator to attend a requested hearing without the advance request to change the hearing date will be deemed a waiver of the hearing and the allegations contained in the notice will be deemed admitted and any prescribed remedy will be instituted.

