

## **Elk Ridge Heights HOA CC&R Compliance Policy**

1. **First Notice:** An Owner will be notified in writing by the Association or its Agent of a violation and requested to correct the violation within the prescribed date (typically 14 days from the date the notice is given). The prescribed date may be extended at the discretion of the Board or its Agent due to extenuating circumstances (e.g., availability of a contractor). This notice will include notice of the fines should the violation not be corrected (this policy). The determination of an Owner's satisfactory correction of a noticed violation shall be within the sole and exclusive judgement of the Board.
2. **Second Notice:** If the violation is not corrected by the prescribed date, a fine of \$50.00 will be assessed and charged to the Owner's account. The owner is notified of the charge and provided an invoice for the fine. The notice includes notice of subsequent fines that will be assessed and charged to the Owner's account if the violation is not remedied by the second prescribed date (not to exceed 30 days from the original violation).
3. **Final Notice:** Should the violation continue after the second prescribed date (typically 30 days from the original violation), a second fine of \$150.00 will be assessed and charged to the Owner's account, including notice of subsequent fines which will be assessed without further notice each succeeding 30 days.
4. **Continued Violation:** Thereafter (typically starting at 60 days from the original violation), a \$300.00 fine will be assessed and charged each succeeding 30 days without further notice, until the violation is corrected, including late fees and interest as set forth in the Association's CC&Rs.
5. **Claim of Lien:** At any time after the total amount of fines assessed exceeds \$500.00 (typically within 60 days of the first violation notice), the Association or its Agent may record a claim of lien in the office of the Spokane County Auditor for the amount of the fines and all costs incurred by the Association, including interest set forth in the CC&Rs, legal fees, other costs and any additional fees assessed against the Owner's lot. A copy of the recorded lien will be provided to the Owner. Upon correction of the violation and payment to the Association of all outstanding charges, the Association shall record a notice in the office of the Spokane County Auditor stating the satisfaction of the said claim of lien.
6. **Enforcement:** The Association or its Agent may enforce the obligations of the Owner to pay said fees and assessments by commencement and maintenance of a suit to obtain a money judgement for unpaid assessments, fines and other charges. Furthermore, the Association may foreclose the lien in accordance with the Washington Code. The Owner shall, in addition to the amount of the lien and all such further fines that are assessed during the course of the suit or foreclosure action, be liable to the Association for all reasonable legal fees and costs incurred.
7. **Violation Correction and Recurrence:** The determination of an Owner's satisfactory correction of a noticed violation shall be within the sole and exclusive judgement of the Board. Further occurrences of the same violation within 12 months of the date the first notice is given shall be considered to be the same event, and the fine enforcement described above shall be deemed ongoing.