

## AR 1.0 ENFORCEMENT OF DECLARATION (CCRs), BYLAWS, RULES AND REGULATIONS

### 1.1 INVESTIGATION AND RESOLUTION PROCEDURES

- 1.1.1 The Association, through its Board of Directors, shall have the authority to review, investigate, and act upon any complaint, concern, or inquiry brought to its attention from any Member or other source.
- 1.1.2 To bring such complaint, concern, or inquiry to the Association, a complainant shall be required to submit an explanation in writing to the email address identified by the Association. This address will be listed on the Association website. The complainant must identify himself or herself by name and address in the email.
- 1.1.3 The Association itself, through its Board of Directors, shall have the authority to initiate an investigation of a possible violation, including assigning appropriate cases to the Architectural Control Committee.
- 1.1.4 The Association President or designee(s) shall investigate the issue. If there is clearly no violation, the initiator will be notified by email. If investigation is required, at a minimum the Member/Owner will be contacted by email to be notified and given an opportunity to respond or explain by email prior to any action by the Association.
- 1.1.5 In the course and conclusion of the investigation, the Association will not disclose the identity of the initiator, Member/Owner, and/or any Member(s) involved, except in any case in which the Board votes to affirm a violation.
- 1.1.6 Once the investigation is complete, the President shall determine whether to refer the case to the Board with a recommendation to affirm a violation.
- 1.1.7 If it is determined that no violation has occurred or is occurring, the initiator (if there is one) and Member/Owner will be notified by email.
- 1.1.8 If it is determined that a recommendation to affirm a violation will be submitted to the Board, the Member/Owner will be sent a letter of notification that includes the specific provision and facts of the violation, the recommended correction or remedy and timeline required, and consequences for failure to correct the violation or meet the timelines. In addition, the Member/Owner will be notified of the meeting date, time, and place and allowed to provide a statement or other information in person or in writing at the meeting or in advance. Statements and discussion concerning the matter will generally be held in Executive Session as they may relate to collection of assessments, fees, or fines. However, any Board vote to affirm a violation must be held in Open Session and recorded in the minutes as such.
- 1.1.9 Following a Board vote concerning the matter, the Member/Owner will receive official notification of the Board's decision by letter.
- 1.1.10 Once a violation has been corrected and/or any fines and/or fees have been received in full, the Member/Owner will be notified by letter that the violation has been concluded and closed.
- 1.1.11 Individual Board members or designee(s) may not conduct or participate in an investigation **or vote** if they are the subject of an alleged violation. They do, however, retain the right to appear before the Board or submit information concerning the alleged violation prior to the remaining Board members making a decision regarding the violation.

## 1.2 ARCHITECTURAL CONTROL COMMITTEE PROCEDURES

- 1.2.1 The Architectural Control Committee (ACC) shall administer procedures and enforce requirements associated with building and lot improvements and alterations, as per the Declaration, Architectural Standards, and applicable Rules and Regulations.
- 1.2.2 Concerns, complaints, or inquiries regarding matters under the jurisdiction of the ACC shall be referred by the President to the Chairperson for investigation. The Board and the ACC may work jointly on an investigation if appropriate to the situation.
- 1.2.3 The Chairperson and/or other designated member(s) of the ACC shall investigate the issue. If there is clearly no violation, the initiator will be notified by email. If investigation is required, at a minimum the Member/Owner will be contacted by email to be notified and given an opportunity to respond or explain by email prior to any action by the ACC or the Association.
- 1.2.4 In the course and conclusion of the investigation, the Association will not disclose the identity of the initiator, Member/Owner, and/or any Member(s) involved, except in any case in which the Board votes to affirm a violation.
- 1.2.5 Once the investigation is complete, the ACC Chairperson shall determine whether to refer the case to the Board with a recommendation to affirm a violation.
- 1.2.6 If it is determined that no violation has occurred or is occurring, the initiator (if there is one) and Member/Owner will be notified by email.
- 1.2.7 If it is determined that a recommendation to affirm a violation will be submitted to the Board, the Member/Owner will be sent a letter of notification that includes the specific provision and facts of the violation, the recommended correction or remedy and timeline required, and consequences for failure to correct the violation or meet the timelines. In addition, the Member/Owner will be notified of the meeting date, time, and place and allowed to provide a statement or other information in person or in writing at the meeting or in advance. Statements and discussions concerning the matter will generally be held in Executive Session as they may relate to collection of assessment, fees, or fines. However, any Board vote to affirm a violation must be held in Open Session and recorded in the minutes as such.
- 1.2.8 Following a Board vote concerning the matter, the Member/Owner will receive official notification of the Board's decision by letter.
- 1.2.9 Once the violation has been corrected and/or any fees and/or fines have been received in full, the Member/Owner will be notified by letter that the violation has been concluded and closed.
- 1.2.10 Individual ACC members or designee(s) may not conduct or participate in an investigation or vote if they are the subject of an alleged violation. They do, however, retain the right to appear before the Board or submit information concerning the alleged violation prior to the Board making a decision regarding the violation.

### 1.3 VIOLATION BY PARTIES OTHER THAN OWNER

1.3.1 The Association holds that the Owner of the applicable Wildlife Meadows lot is the responsible Member with regard to compliance with all CCRs, ByLaws, and rules and regulations of the Homeowners Association. Communication by the Association concerning violations, investigations of possible violations, or other related issues will be to the Owner, who shall also be the responsible party with regard to payment of any and all fees and fines assessed.

### 1.4 FINE SCHEDULE FOR VIOLATIONS, FAILURE TO CORRECT, AND FAILURE TO PAY

1.4.1 For the first violation affirmed by the Board, the fee or fine levied shall be waived under the following conditions:

- a. The violation is corrected or the remedy is completed as per the Board requirements.
- b. The correction or remedy is corrected or completed within the timeline specified.

1.4.2 If either or both of the above conditions are not met, a fine of \$25.00 shall be levied plus the following shall apply:

- a. An additional fee of \$10.00 per week shall be levied until corrected or completed.
- b. An additional fee of \$10.00 per week shall be levied until all past due fines and fees associated with the violation are paid.

1.4.3 For all subsequent violations affirmed by the Board a fine of \$25.00 shall be levied and the conditions listed in 1.4.2 above shall apply.

### 1.5 ANNUAL ASSESSMENT PAYMENT

1.5.1 The regular annual assessment due from Owners shall be set at \$100.00. This may be changed by a majority vote of the Board of Directors, subject to a prior ballot vote in which a Majority of Owners vote to approve the proposed change.

1.5.2 Notice of assessment due for each calendar year shall be given to each Owner by email in February of the year of assessment. A payment due date shall be specified including a late payment assessment if not paid within sixty (60) calendar days of the due date.

1.5.3 Late payments shall accrue an initial late payment fee of \$10.00 plus an additional \$10.00 for each subsequent month or partial month until the total due for the assessment plus all late fees is paid in full.

Board Adoption Date: September 29, 2021