

LOWOJ RULE FOR FINES FOR VIOLATIONS OF COMMUNITY Declaration[s], Articles, and the By-laws and Rules and Regulations

1- Any homeowner in any home in LOWOJ may initiate a notice of noncompliance or violation of the Declaration[s], Articles, By-laws, Rules and Regulations.

2- The notice of violation shall first be delivered to the Management Company in writing or by Email who will notify the LOWOJ BOD President in writing or by Email that a violation has been observed and either confirmed or not confirmed.

In either case the members of the LOWOJ BOD shall act as needed to attempt to confirm the violation with the understanding that some short term violations will not allow for confirmation. Violations confirmed by the Management Company shall not require further confirmation for initial action.

3- The Management Company shall send a written letter to the homeowner indicating that a violation of the Rules and Regulations has been observed. The letter shall include a request for compliance within 7 days as per Section 10.02 of the Declaration of Covenants and Restrictions of Lake of the Woods of Jacaranda. This letter requires a response in writing as to why the violation procedure [fine] shall not commence at the end of the 7 day period. Any recurring violation in 90 consecutive days shall be considered continuing.

4- The Management Company shall, after the 7 day period and non resolution of the violation, send a second notice to the homeowner indicating that a fine of up to \$100.00 a day, to a maximum of \$1000.00 may be assessed the owner in 14 days, which may be calculated from the 7th day of the complaint should the violation continue. Except under circumstances the BOD, at its sole judgement considers appropriate for a waiver, the fine for: a first violation will be \$50.00 per day; the fine for a second violation will be \$100.00 per day; the action by the BOD fine for a third violation will be \$100.00 per day and or causing legal action to be taken. The second notice should include a statement of ability to respond, in writing, as to why the violation and fine should not be assessed. In addition the letter shall also notify the homeowner of the right to request a hearing before the next scheduled meeting of the Compliance Review Committee, consisting of fellow homeowners in LOWOJ, solely to review and determine if there is any reason, that upholds the Rules and Regulations, that a fine set by the BOD shall not be assessed. The homeowner will be afforded the opportunity to hear the evidence provided at the hearing and ask questions and or to respond to the charges including any evidence of habitual violation of the Rules and Regulations. In any instance where the Compliance Review Committee has a question about the facts of the case it will adjourn the hearing and request that the BOD provide further information and that one or more BOD members familiar with the case attend the Compliance Review Committee's next meeting to furnish supporting information of the violation.

5- It shall be the responsibility of the Compliance Review Committee, consisting of fellow homeowners in LOWOJ, to report to the BOD before its next regularly scheduled meeting if there is reason that a fine set by the BOD not be assessed. Except for an error of fact respecting the rules the only other normal reason for such a finding will be presentation by the homeowner of documented progress toward removing the violation in a rapid and clearly practicable manner. Compliance with the Rules and Regulations is the overriding goal of the BOD in accord with the LOWOJ community documents; not fines.