

THE TOWN HOMES AT LUDLOW BAY ASSOCIATION ENFORCEMENT RULE

- 1. It is the sole responsibility of each Owner to know the terms and provisions of the Declarations of the Town Homes at Ludlow Bay Association (THLB), the Bylaws of the Association and all rules of the association. Each Owner is obligated to fully advise any tenant or guest of any provision of the Declaration, Bylaws or Rules, which may apply to the tenant or guest. The Rules of the Association are provided as a supplement to the Declaration and Bylaws but are not meant to relieve any Owner from the obligations under the terms and conditions of the Declaration and Bylaws. Owners shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force or which may hereafter be in force, applicable to The Town Homes at Ludlow Bay Association.**
- 2. Every Owner or resident shall comply strictly with the provisions of the Declaration, Bylaws and Rules of The Town Homes at Ludlow Bay Association as the same may be lawfully amended from time to time. Failure to comply shall be grounds for the Association to levy fines or maintain an action to recover sums due, damages, injunctive relief or any other available legal remedy.**
- 3. The Board of Directors may, after notice and an opportunity to be heard as provided in this rule, levy monetary fines for violations of the Declaration or Association Rules, in accordance with the Fine Schedule set forth in Appendix A.**
- 4. The Board in its discretion may give written notice of a violation and state a reasonable period of time for correcting the violation. If the violation is not corrected within the time stated, the Board can itself make the correction and charge the Owner for all reasonable costs incurred in connection therewith or it can impose a fine as provided in the Fine Schedule and notice given to the Owner. Payment of such costs shall be enforced in the same manner as is provided for the enforcement of quarterly fees.**
- 5. Prior to taking any action, under either #2 or #3 listed above, the Board shall provide the Owner involved notice and an opportunity to be heard as follows:**

 - a) The Board will give the offending Owner written notice of a hearing before the Board or a specially appointed committee or agent of the Board, regarding the proposed action or fine. The notice shall include (a) a statement of the offense, (b) the proposed action and/or fine, (c) the date, time and place of the hearing, and (d) whether testimony of the Owner must be oral, written, or both. The date of the hearing shall be at least five (5) days after notice is delivered.**

b) At the hearing, the affected Owner shall have the right to give testimony as outlined in the notice, subject to reasonable rules of procedure established by the Board to assure a prompt and orderly resolution of the issue at hand.

c) Evidence presented at the hearing shall be considered in making the decision regarding fines or other enforcement action.

d) The affected Owner shall be notified of the decision in the same way notice of the meeting was given.

e) The Board of Directors may take any other legal or appropriate action, remedy or penalize any violation of these Rules, Bylaws or the THLB Declaration. Owners shall be financially responsible for all damages caused by their tenants or guests, and for any fines imposed as the result of conduct on the part of their tenants, guests or invitees. Said charge for damages or fines shall be imposed against the Unit itself and shall be applied in the same manner as is the enforcement of quarterly fees. In enforcing these rules, the Board of Directors may delegate its function(s), including the determination of whether a violation has occurred, and the remedy therefore, to an agent, including but not limited to a committee, a single, or group of, director(s) or officers. The conclusive determination and remedy of the delegated party shall constitute action of the Board, unless otherwise specified by the Board.

Adopted by Board action 3/20

APPENDIX A.

FINES

1st notice of a violation \$100.00

2nd notice of a violation \$250.00

3rd notice of a violation \$500.00

For purposes of the Fine Schedule, "violation" means a failure to comply with an obligation imposed by the Declaration, Bylaws, or Rules and Regulations of the Association. Repeated or continued failures to comply will be treated as separate violations. A "second or subsequent violation will exist if an Owner commits the violation after being notified of the violation, or if the Owner fails to come into compliance by any deadline set by the Board for compliance.

NOTES REGARDING FINES:

1. The Board of Directors, to enforce the Declarations, Bylaws or Rules and Regulations, may levy monetary fines of \$100.00 for the first notice of a violation and \$250.00 for the second notice for a violation and \$500 for the third notice for a violation. Subsequent violations will be subject to fines or other appropriate action at the discretion of the Board. Such fine(s) shall be added to the quarterly fee for the first month following the violation and shall be enforceable in the same manner as is provided for the enforcement of regular quarterly fees.

2. To the extent a townhome owner is in violation of the by-laws or rules and regulations, but is diligently attempting to cure said violation, as determined by the Board in its sole discretion, the Board has the right to suspend the payments of fines during the cure period.

3. For purposes of the Fine Schedule, "violation" means a failure to comply with an obligation imposed by the Declaration, Bylaws, or Rules and Regulations of the Association on any given day (i.e. 24-hour period). Repeated or continued failures to comply will be treated as separate violations. A "second or subsequent" violation will exist if an Owner commits the violation after being notified of the violation, or if the Owner fails to come into compliance by any deadline set by the Board for compliance. Each violation will trigger a separate fine.