

Country View Homeowners Association

Procedure to Enforce the Association Rules and Regulations

Under CC&R's Article IX, Enforcement of Governing Documents, section 9.7. Schedule of Fines, the Association shall have the power to enforce the provisions of the Governing Documents in any manner provided by law or in equity and in any manner provided in the Declaration. The Association may levy a fine against an Owner in a standard amount per the Schedule of Fines, temporarily suspend an Owner's use of the recreation facilities or the Owner's voting rights, and/or institute appropriate legal action. No fine shall be levied until the Board provides the Owner with notice, and opportunity to be heard as set forth in Article IX of the Bylaws.

1. Upon direction from the Board, the Managing Agent* shall notify any member of the Association of any violation committed. A letter shall be sent by mail describing the violation, the section of the CC&R's and/or Rules that have been violated and a reasonable time frame to resolve the violation. The letter shall encourage the Owner to contact the Managing Agent to discuss the violation and its resolution.
2. If the violation continues after the deadline defined in the first letter, the Managing Agent will notify the Owner of the continued violation, that the deadline has not been met, and that failure to comply may subject the Owner to a fine as set forth in the published ***Schedule of Fines***. The Owner shall be given the opportunity to be heard before the Board of Directors, and a second reasonable time frame to resolve the violation.
3. The Board shall consider at its next scheduled meeting violations that have not been resolved after two notices. By resolution, the Board will direct the Managing Agent to notify the Owner of any fine assessed, and of the Owner's right to a hearing by the Board.
4. The Board, thereafter, shall direct the Managing Agent to notify the Owner of the Hearing by mail. The hearing shall give the Owner the opportunity to discuss the violation(s) with the Board. Owner may bring any evidence supporting his/her claim including other members of the association. Owner may request an Executive Session to conduct the Hearing. ***Executive Session consists only of the Board, the Managing Agent*, and the Owner.***
5. The Board may consider legal remedies if violations continue after the Hearing. A violating Owner shall reimburse the Association for all attorney fees and other costs it incurs when it engages an attorney to enforce the Governing Documents, with or without the filing of any action or proceeding in the courts per Article 9.5 of the Covenants, Conditions & Restrictions.
6. All notices, Hearings, fines, and other legal remedies shall be in compliance with the CC&R's and Bylaws of the Association and California Civil Code.

Revised 12/17/01

*The current Managing Agent is Community Association Management at (925) 829-8999.

Country View Homeowners' Association
Schedule of Fines

In accordance with Article 9.7 of the Covenants, Conditions, and Restrictions for Country View Home Owners Association the Board of Directors has established the following schedule of fines. Once imposed, a fine may not be collected via a lien or foreclosure procedure or otherwise until the Board provides the Owner with notice and opportunity to be heard as set forth in Article X of the Bylaws.

Vehicle Violations

\$25 per day

Violations include, but are not limited to the following:

1. Presence of any vehicle that may be used for habitation, campers, boats, trailers, recreational vehicles, commercial vehicles*, and any vehicle rated at more than one ton by the manufacturer where they are visible from the street, a Common Area, or another Lot, except for periods not to exceed seventy-two hours for the purpose of loading and unloading. *Except Association contractors' vehicles and those used reasonably in the improvement of a residence.
2. Vehicle/Boat repair outside of a garage.
3. Inoperable vehicle stored outside of a garage.
4. No machinery, equipment, or any construction materials shall be placed, operated or maintained upon any Lot except such machinery or equipment as is usual or customary in connection with the maintenance or improvement of a private residence.

Landscaping Violations

\$50 per week

Violations include, but are not limited to the following:

1. Hedges in excess of 4' in height located anywhere in front of a residence.
2. Use of materials in quantities sufficient to emit odors that can be discerned beyond the Lot.
3. General landscaping neglect including unkempt lawns, presence of weeds, dying plants, etc.
4. Bare dirt in excess of 15% of the total yard visible from the street.

Prohibited Activities

\$100 per occurrence

Violations include, but are not limited to the following:

1. Noxious activities as described in CC&R Article 5.5.
2. Irresponsible maintenance of pets.
3. Irresponsible garbage/garbage bin storage.
4. Storage of personal property within view of the street.
5. Interference with established drainage pattern.
6. Activities affecting insurance.
7. Starting fires outside of the confines of a receptacle designed for such purpose.
8. Installed basketball/playground equipment in front yard. Storage of portable basketball standard in front yard when not in use or between dark and 9:00 a.m.

Architectural/Structural Violations

\$250 per notice

Violations include, but are not limited to the following:

1. Non-maintenance of residence including paint and driveway.
2. Storage of personal belongings in Common Area.
3. Improvements to Residences or Lots that are not in compliance with CC&R and/or Architectural Committee including new roofing materials, new paint colors, new doors, new windows, home additions, lighting additions, etc.
4. Unauthorized window coverings.

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