

# ABIQUA HEIGHTS HOMEOWNERS' ASSOCIATION

## Resolution by the Board of Directors

### Rule 08-04

#### Penalties for Violations of the AHHA By-Laws and CC&Rs

**Whereas** in accordance to CC&Rs Article V Section 24, Additional Rules and Regulations; Article XI Section 10, Individual Assessments; Bylaws Article V Section 1, Authority and Section 2, Duties and Powers authorize the Board of Directors to pass Rules and Regulations to enforce the Declarations (CC&Rs); and

**Whereas** Article V Section 2.m. of the By-Laws requires the Board to give notice and an opportunity to be heard before levying reasonable fines for violations of the Bylaws, or CC&Rs of the Association; and

**Whereas** all residents/lot owners of the Abiqua Heights Homeowners Association are held binding to its Covenants, Conditions and Restrictions;

**Therefore** be it resolved, that Rule 08-04 "Penalties for Violations of the AHHA By-Laws and CC&Rs" is passed this Thursday, 10<sup>th</sup> day of April month, 2008. This rule is effective as of April 11, 2008 and sets forth financial penalties for violation of the AHHA By-Laws and CC&Rs. The enforcement of the covenants is intended to preserve the value and livability of the AHHA community and to promote the health, safety and welfare of the residents. Once the Board of Directors has completed the Conflict Resolution Process with a resident as it relates to a perceived violation of the AHHA By-Laws or the CC&Rs and the violation has not been corrected, a financial penalty will be assessed. Interest shall accrue on any assessment or portion thereof not paid when due at the rate of twelve percent (12%) per annum until paid. If the same type of violation occurs again at a later date it will be considered 'habitual' and the resident/owner will receive a fine that is doubled for the second violation. A schedule of fines (Exhibit A) is attached. This Rule will be in effect until voted out by the Board of Directors or modified by the membership in accordance to CC&Rs Article V Section 24.

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/S/ Dave O. Paul  
Dave O. Paul

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/S/ Mike Schwingel  
Mike Schwingel

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/S/ Bud Steuart  
Bud Steuart

Exhibit A – Schedule of fines

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OFFICERS 2008  
PRESIDENT: DAVE O. PAUL  
SECRETARY: MIKE SCHWINGEL  
TREASURER: BUD STEUART