

Las Brisas at Cottonwood Community Corporation

Violation and Fine Procedure

Adopted by the Board of Directors on 11/7/13

1. The Board of Directors shall direct a notice to the homeowner advising them of the nature of the violation and the time limit to rectify the violation.
2. Failure to comply with the request to rectify the violation may result in a “Final Notice” advising the homeowner to comply. Then, if the violation is still not resolved, a “Notice of Hearing” will be sent and shall request appearance on a specified date to be heard by the Board of Directors.
3. Please note the Board may determine that a “Notice of Hearing” is appropriate to send to the homeowner as the second letter, instead of a “Final Notice”, when the violation is determined to be of a more serious nature.
4. If the Board determines at the hearing the violation has not been corrected, the Board of Directors may take any of the following actions:
 - a. Submittal of the matter to the Association’s legal counsel for further action. Such action will take place in accordance with California Civil Code 1369.570 and 1363.810.
 - b. Levy of a special assessment or penalty in the amount as outline in section 5 below.
5. The penalty schedule is a follows:

Minor Violations:

First violation:	\$100.00
Second violation (same infraction):	\$200.00
Third violation (same infraction):	\$300.00

Major violations: \$250.00 per occurrence

i.e. Failure to obtain Design Review Committee approval prior to making an exterior modification, negligent damage to Association property, life threatening or safety violations, etc.

*Please note: Special Assessments may be imposed for specific violations outlined in the Association’s Governing Documents.

Reporting Violations

Except in those cases where a violation is easily visually verified (i.e. storage of trash cans, unauthorized improvements, recreational vehicle storage in parking spaces, etc.), owners wishing to report a violation must do so in writing and the complaint must be signed by two (2) different owners.

Anonymous letters or complaints will not be acted upon, unless the violation can be visually verified by way of an inspection of the property. Additionally, while the Board of Directors will not routinely provide the identity of the owners alleging the violation, it does not guarantee that the same will remain anonymous or have any duty to protect the privacy of such complaints.

In the case of such complaints that may be difficult to verify, the owners alleging the complaint should be prepared to come before the Board of Directors to discuss their claims, if the matter should come into dispute.

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Violation Report Form

Return form to: _____

Violation information

Please provide the name (if known) and address of the home where the alleged violation is taking place.

Name(s): _____

Address: _____

Summary of alleged violation(s):

On what days and at what times does the violation usually take place?

Reporting homeowner's information

If the violation is not verifiable by way of a visual inspection of the community, then a signature of an additional homeowner representing a separate unit/lot within the community may be required to initiate the Association's violation procedure. **You must include your name and address in order to have this form processed.**

Your name: _____

Address: _____

Phone: _____

If necessary:

Additional Homeowner name: _____

Address: _____

Phone: _____