



Subject: Violation of Bylaws Policy

Date: October 2020

From: Board of Trustees

Definition. Any activity or condition continuing in any unit or by any unit owner that is in direct opposition to the, declaration, articles of incorporation, bylaws, or rules and regulations, which is not expressly authorized by the board, is deemed a " violation" under this enforcement policy for all purposes.

Notice of violation.

1. Initial Notice. Upon verification of the existence of a violation by the association, or management company ("management") as agent of the association, a written notice of the discovery of the violation, will be sent to the unit owner ("initial notice"). The initial notice will inform the owner as follows:

- (a) The nature, description and location of the violation; and
- (b) A request to remedy the violation; and
- (c) Notice that if the violation has already been corrected or specific plans for correction have been initiated to disregard the notice. Owner must inform the management company of the corrected steps taken or planned.

2. Second Notice. If the owner fails to remedy the violation or fails to submit plans for the correction of the violation no later than ten (10) days from the initial notice, management shall send to the owner a second notice of violation informing the owner as follows:

- (a) The nature, description and location of the violation and the failure of the owner to correct the violation, as previously requested; and
- (b) Notice that if the violation is corrected or eliminated within ten (10) days from the delivery of the second notice of violation, no further action will be taken; however,
- (c) Failure to correct the violation will result in the association:
 - (i) A fine being levied against the owner,
 - (ii) Correction of the violation by the association at the owner's expense or,
 - (iii) Any other remedy under the declaration or this enforcement policy.



SCHEDULE OF FEES AND FINES

Event Fee

- **Move-In/Move-Out Fee** **\$100 Move In**
\$100 Move Out
- **Damage to Common Area**
During Move In & Out **Cost of Damage**
- **First Violation** **\$ 75**
- **Failure to Correct Violation**
Within One Month of Initial Fine **\$ 100**
- **On-Going Violation** **\$125 (per week)**

This schedule of Fees and Fines is provided for the convenience of Unit Owners only, and shall not be construed as an exclusive list of such fees and fines.

The Board of Trustees reserves the right to add or to change this schedule of fees, and to assess fines for violations of the Rules and Regulations of Avery Condominium that are not specified in this Schedule, at any time in their sole and unrestricted discretion. Any damage to the Common Areas or Facilities of the Condominium caused in connection with a violation of the Rules and Regulations shall be the responsibility of the applicable Unit Owner, and shall be assessed against such Unit Owner in addition to the applicable fine.

The managing agent of the Condominium may charge fees, not set forth on this Schedule, for certain

activities or requests of Unit Owners. For additional information relating to such fees, please contact the managing agent directly.

Hearing.

Included in the notice of fine will be the opportunity for the unit owner to request and be granted a hearing by the appropriate committee or the board prior to any fine or benefitted assessment being levied upon the unit owner. The notice of fine will allow the unit owner ten (10) days to contact management, in writing, to request a hearing or issue a written dispute of the continuing violation. Should the unit owner fail to contact management within (10) days of the notice of fine date, that party will have waived its opportunity for said dispute to be heard before the board of trustees. The board of trustees will hear all cases that are up for fine review at their regularly scheduled meetings.