

February 16, 2017

Hampton Pointe Homeowners Rules and Regulations (R&R's)



The 2016 Board of Directors

<http://www.hamptonpointe.org/communications/contact>

President – Chad Gerber

Vice Pres. – Walter Bobbitt

Treasurer – Calvin McCommons

Secretary – Sandi Kozar

Board Members at Large

Zac Murin

Michael Howell

The Management Company



Amy Johnson

Community Association Manager

Sentry Management Inc.

3714 Benson Dr. #200

Raleigh NC 27609

919-790-8000 ext. 105

919-790-5824

TABLE OF CONTENTS

BOARD OF DIRECTORS / MANAGEMENT COMPANY	2
PURPOSE	5
ARC REVIEW COMMITTEE	5
VARIANCE INFORMATION	5
ARCHITECTURAL REVIEW BOARD APPLICATION	6
ARTICLE I. LAND USE AND BUILDING TYPE.....	7
SECTION 1.01 – SHED SIZE	7
SECTION 1.02 – APPROVAL/LOT SIZE	7
SECTION 1.03 – Wood construction	7
SECTION 1.04 - Foundation	7
SECTION 1.05 – Property Lines	7
SECTION 1.06 – SIDING MATERIALS.....	7
SECTION 1.07 - Roof.....	7
SECTION 1.08 – QUANTITY OF SHEDS	7
ARTICLE II. FENCES	7
SECTION 2.01 – ARC APPROVAL	7
SECTION 2.02 – PROFESSIONAL INSTALLATION.....	7
SECTION 2.03 – ARC FINAL INSPECTION	7
SECTION 2.04 – INSTALLATION INSPECTION GUIDELINES.....	7
SECTION 2.05 – FENCE MATERIALS.....	7
SECTION 2.06 – SET BACK FOOTAGE.....	7
SECTION 2.07 – CONSTRUCTION	7
SECTION 2.08 - HEIGHT	8
SECTION 2.09 - STYLES	8
SECTION 2.10 - STAIN.....	8
SECTION 2.11 - MAINTENANCE	8
ARTICLE III. EXISTING FENCES THAT REQUIRE MAINTENANCE.....	8
SECTION 3.01 - UPKEEP.....	8
SECTION 3.02 – MAINTENANCE TIME FRAME.....	8
ARTICLE IV. PARKING: DRIVEWAYS, PARKING PADS & ABANDONED VEHICLES	8
SECTION 4.01 – VEHICLE PARKING	8
SECTION 4.02 – COMMERCIAL VEHICLES	8
SECTION 4.03 – TRACTOR TRAILERS	8
SECTION 4.04 – MOBILE HOMES	8
SECTION 4.05 - BOATS.....	8
SECTION 4.06 – BOATS SCREENING FROM STREET	8
SECTION 4.07 – VEHICLES / OPERATIONAL & LEGAL.....	8
SECTION 4.08 – VEHICLE REPAIRS.....	9
ARTICLE V. ANIMALS	9
SECTION 5.01 - No COMMERCIAL PURPOSE ANIMALS.....	9
SECTION 5.02 – PET DISTURBANCE.....	9
SECTION 5.03 – PETS LEASHED	9
SECTION 5.04 – No UNATTENDED PETS	9
SECTION 5.05 – No TETHERING PETS OUTSIDE.....	9
SECTION 5.06 – PET CLEANUP	9
SECTION 5.07 – PENS & DOGHOUSES	9
ARTICLE VI. SIGNS.....	9
SECTION 6.01 - SIGNS	9
ARTICLE VII. ANTENNAS: SATELLITE DISHES OR DISCS	9
SECTION 7.01 - SATELLITES	9

ARTICLE VIII. SWIMMING POOLS	9
SECTION 8.01 - POOLS	9
 ARTICLE IX. CLOTHESLINES.....	9
SECTION 9.01 - CLOTHESLINES	9
 ARTICLE X. MAILBOXES	10
SECTION 10.01 - MAILBOXES.....	10
 ARTICLE XI. BASKETBALL HOOPS.....	10
SECTION 11.01 – BASKETBALL HOOPS.....	10
 ARTICLE XII. GARBAGE: UNSIGHTLY STORAGE	10
SECTION 12.01 – GARBAGE CAN STORAGE	10
SECTION 12.02 – BULK ITEMS	10
SECTION 12.03 – CURBSIDE PICKUP TIME FRAME	10
SECTION 12.04 – CONSTRUCTION/LANDSCAPE MATERIAL STORAGE	10
 ARTICLE XIII. EXTERIOR MAINTENANCE	10
SECTION 13.01 – LOT UPKEEP	10
SECTION 13.02 – HOME EXTERIOR MAINTENANCE.....	10
SECTION 13.03 – GRASS HEIGHT/MAINTENANCE	10
SECTION 13.04 - TREES.....	10
SECTION 13.05 - EDGING	10
SECTION 13.06 - GARDENS	10
SECTION 13.07 – OUTSIDE EQUIPMENT/FURNITURE/TOYS	11
SECTION 13.08 - DECORATIONS	11
 HAMPTON POINTE R&R ENFORCEMENT POLICY	12
REPORTING OF VIOLATIONS.....	12
TIMELINES AND PROCEDURES.....	12
FINING SCHEDULE	15
FINING PROCEDURES	15
REPORTS	16

Purpose

In any planned community, the question naturally arises as how to maintain a harmonious, quality development as the community matures. The purpose of this document is to outline the Rules and Regulation that homeowners of Hampton Pointe, including guests or tenants of the homeowners, are expected to abide by as outlined in the covenants of the neighborhood. This document is not intended to replace the Restrictive Covenants for Hampton Pointe Subdivision, which is a legally binding document, but to serve as a summary of the contents. The cooperation and consideration of each homeowner is vital to the progressive growth of Hampton Pointe.

All homeowners that rent their property to tenants must provide all tenants with a copy of these Rules and Regulations as well as the HOA Covenants as an addendum to the lease. If a lease is already in place with current tenants, copies of the above referenced documents must be provided within one month of the date of this document.

Architectural Review Committee (ARC)

One of the most effective methods of achieving the Hampton Pointe vision and its primary goals of aesthetic beauty and enhanced property values is an effective review process. The ARC will review applications and design documents for all new construction (with the exception of new houses) and modifications to existing properties, including fencing, yard art, swimming pools, hot tubs, solar panels, etc. Each application shall be evaluated on its own merits with respect to its own proposed details.

No construction or alterations to any dwelling shall begin without prior written approval of the ARC. Such approval shall be documented by the ARC when the Member/Applicants Access Permits are issued (when applicable).

From time to time the ARC may modify or change the Standards for Design and Construction with Board approval.

Variances

All requests for variances from the Declarations and/or these Standards shall be submitted to the ARC. Variances will be granted only in extraordinary circumstances where hardship has been demonstrated. Each variance granted applies solely to the unique circumstances of the individual request and shall not be deemed to set a precedent for future requests. Variance shall not be granted to the extent they encroach upon or violate applicable legal requirements.



ARCHITECTURAL REVIEW BOARD APPLICATION

Please complete the application form and forward, with requested information, to the [Architectural Review Committee](#) for processing. Please do not commence work until you receive approval of your application from the Architectural Review Board.

Association Name

____/____/____
Date of Application

Applicant's Name

(____)____-____
Phone Number

Property Address

Email

APPLICATION FOR: ☐ Exterior Paint ☐ Fencing ☐ Landscape Installation
☐ Recreational Equipment ☐ Swimming Pool ☐ Other _____

Please provide a description of what changes will be made. Applications must include lot survey, site plans, diagrams, color chips, material specifications, sample products, photographs and any information that will adequately describe the finished product. All landscaping plans must include the size, number and type of plants to be approved.

Failure to provide complete information will delay the approval process.

ATTACHMENTS SUBMITTED BY PROPERTY OWNER

- ☐ Written description of project
- ☐ Lot survey showing location of addition or installation, if applicable
- ☐ Specifications (i.e. copies of plans indicating dimensions, materials, colors etc.)
- ☐ Paint chip/color samples
- ☐ Other (i.e. pictures, brochures, etc.)

THIS SECTION TO BE COMPLETED BY ARCHITECTURAL REVIEW BOARD

Request Rec'd ____/____/____ Date Approved ____/____/____ Date Denied ____/____/____

NOTES/COMMENTS: _____

To submit my mail:
Sentry Management
3700 National Drive Suite 203
Raleigh, NC 27612

BY: _____

Architectural Review Board

Link to ARC application:
<http://www.hamptonpointe.org/Documents/ArchitecturalReviewBoardApplication.pdf>

Link to contact board:
board@hamptonpointe.org

Article I. Land Use and Building Type

ALL SHED PLANS MUST BE SUBMITTED TO ARC COMMITTEE PRIOR TO CONSTRUCTION

Section 1.01. Storage shed shall not be larger than 168 square feet.

Section 1.02. Approval dependent upon lot size and layout.

Section 1.03. Sheds shall be single story and constructed of wood, no aluminum or plastic/resin sheds will be allowed.

Section 1.04. A suitable constructed floor system or foundation of wood or concrete is required.

Section 1.05. Sheds will be placed within the backyard and must be three (3) feet from the property line and/or a two (2) foot maintenance buffer from any structure.

Section 1.06 The siding material must be similar in composition and color to your home or the aesthetics of the neighborhood. (Vinyl, T-111, Hardy Plank, stone, or brick)

Section 1.07 The roof must be gabled with asphalt shingles and similar in color to the home shingles.

Section 1.08 Only one (1) shed per lot

Article II. Fences

PLANS FOR NEW & REPLACEMENT FENCES MUST BE SUBMITTED TO ARC COMMITTEE PRIOR TO CONSTRUCTION

<http://www.hamptonpointe.org/Documents/ArchitecturalReviewBoardApplication.pdf>

Section 2.01. Before any installation, all fences must be approved by the Architectural Review Committee pursuant to Article VIII of the Covenants

Section 2.02. It is highly recommended to use a professional fence company for installation. Please specify method of installation on ARC application.

Section 2.03. Within 3 days after the fencing company has completed the installation, homeowners must contact the Architectural Review Committee for final inspection of the fence.

Section 2.04. An inspection will need be completed by an ARC committee member to ensure that the sections are consistent in height and symmetrical in design and they meet all the rules and regulations. Homeowners will be required to change anything that does not abide by covenant guidelines.

Section 2.05. Fences are to be constructed of treated wood, vinyl, aluminum, wrought iron, or a combination of wrought iron/brick or stone. Brick or stone must match the house (color & style). Wooden fences will only be stained and never painted. (See approved color list, Section 2:10). Wrought iron fences can be painted black. Chain link fences are prohibited.

Section 2.06. Fences are allowed to be installed a minimum of 3' from front corner of the house.

Section 2.07. Construction will consist of vertical members (pickets) supported on horizontal members (rails) with the pickets on the outward side of the fence. The maximum spacing between pickets is 4 inches.

Section 2.08. The required fence height is a minimum of 4 feet and a maximum of 6 feet. The Architectural Review Committee will have the right to modify height or placement of fences on corner lots in the interest of safety.

Section 2.09. In order to maintain a uniform style of fencing moving forward in Hampton Pointe, the approved fencing styles will consist of:

- Arched Style Wood Fencing
- Shadowbox Wood Fencing
- White or a Shade of Brown Vinyl
- Dog eared Wood Fencing
- Aluminum/Wrought Iron

Section 2.10. Approved color list. Stain colors for wood fences consist of:

Natural stain or any shade of brown.

Color swatch, picture or specification of stain **must** be submitted with the ARC application to the Architectural Review Committee for approval.

Section 2.11. Fences must be stained within one year of installation. They must also be maintained and kept in good repair in order to protect the resale value of homes. Maintenance of fences will also include replacing any warped or damaged boards.

Article III. Existing Fences that require maintenance

Section 3.01. Maintenance, cleaning and regular upkeep of the fence stain color is required.

Section 3.02. All fences requiring maintenance must be completed within 30 days of receiving written notification from the Homeowner's Association

Article IV. Parking: Driveways, Parking Pads and Abandoned vehicles

Section 4.01. Vehicles may be parked or stored only in garages, driveways, or parking pads. No parking on lawns.

Section 4.02. No commercial vehicle [G.S. § 20-4.01\(3d\)](#) (NC Statutes) shall be parked on any street or kept on any lot within the subdivision.

Section 4.03. No tractor trailer trucks or cabs shall be parked on any street or lot within the subdivision.

Section 4.04. No mobile house trailer (whether on or off wheels) shall be parked on any street or kept on any lot within the subdivision.

Section 4.05. No boat or boat trailer, trailers which can be attached to a vehicle, campers, and recreational vehicle shall be parked on any street or driveway within the subdivision. (Contact the HOA Board for any storage issues).

Section 4.06. Boats, boat trailers, campers, recreational vehicles, or trailers which can be attached to a vehicle, may be kept on a lot if it is screened from the street view. Screens may be a fence or plantings and must comply with the Zoning Ordinance. Said item cannot be more than two (2') feet above the fence top.

Section 4.07. All vehicles parked in the subdivision must be in operating condition both legally and mechanically, i.e., current license plates and inspection sticker, no flat tires, etc.

Section 4.08. Minor vehicle repairs (ex: tire changing/oil change) are allowed; however, major repairs are prohibited. Vehicles are not allowed to be left unsupervised on jacks or blocks longer than the amount of time needed make the repair (no longer than 3 hours).

Article V. Animals

Section 5.01. No animals, livestock or poultry of any kind shall be kept or maintained on any lot or in any dwelling, except that dogs, cats, or other household pets may be kept or maintained, provided that they are not kept or maintained for commercial purposes.

Section 5.02. Dogs, cats and other household pets are allowed, provided that they meet the Rolesville Town Ordinance. <http://rolesvillenc.gov/town-departments/police/faq/>

Section 5.03. All pets must be leashed and not allowed to roam freely throughout the subdivision.

Section 5.04. No dog or cat is to be left unattended, leashed or not.

Section 5.05. No pet may be permanently tethered outside. No pet shall be tethered outside without the owner present.

Section 5.06. No pet owner will allow their pet to defecate without cleaning it up. All animal waste must be removed from any areas and placed in a trash receptacle in a properly sealed plastic bag.

Section 5.07. Pens and doghouses may not be erected on patios, porches or any other area of Hampton Pointe. A pen is defined as any cage or enclosed area that does not allow an "animal" to move freely around the entire backyard. The exception would be a backyard fence that encompasses the entire backyard of the property and allows the animal to roam freely within.

Article VI. Signs

Section 6.01. Sign shall be placed only in the front yard and no larger than 10 square feet in size. No electric sign are permitted. (Refer to Restrictive Covenants Section 9, page 3)

Article VII. Antennas: Satellite Dishes or Discs

Section 7.01. Attempts should be made to screen satellite dishes from street view. They shall not exceed 2' in diameter.

Article VIII. Swimming Pools

Section 8.01. No permanent structure above ground swimming pools shall be permitted in the subdivision. Only small inflatable/ vinyl wading pools are permitted. All pools must be located in the backyard.

Article IX. Clotheslines

Section 9.01. No exterior clothes lines shall be erected or maintained on any lot.

Article X. Mailboxes

Section 10.01. All mailboxes shall conform to the size, shape, height and color of the existing mailboxes. <http://www.hamptonpointe.org/vendors>

Article XI. Basketball Hoops

Section 11.01. Basketball hoops must be kept in workable order. Basketball hoops may be in the driveway and not on the sidewalk blocking pedestrians. No basketball hoops shall be permanently left on the street.

Article XII. Garbage: Unsightly Storage

Section 12.01. All trash and rubbish shall be kept in garbage cans stored in such a manner as not to be visible from the street upon which the house fronts.

Section 12.02. No trash, rubbish, stored material, wrecked or inoperable vehicles, or similar items are allowed on any lot. No bulk items shall be placed by curb, except for the evening before they are to be picked up by official trash collectors. No major appliances are to be kept/stored on the front porch.

Section 12.03. Trash, recyclables and/or garbage cans may be moved to the street the night before curbside trash and/or garbage pickup. All garbage cans must be removed from the street and returned to the approved enclosure the same day of the scheduled pickup.

Section 12.04. Landscape, construction or any similar type of materials must be stored in such a manner as not to be visible from the street upon which the house fronts.

Article XIII. Exterior Maintenance

Section 13.01. Each owner shall keep their lot in an orderly condition. Yards must be well kept with uniform ground coverage.

Section 13.02. Each owner shall keep their home exterior well maintained, to include free of algae and mildew. Home exteriors (shutters, windows, doors, siding, shingles, deck, porch, etc.) must be maintained and/or repairs completed within a timely manner. [Please advise the board](#) if repairs will take longer to avoid multiple violation letters. <http://www.hamptonpointe.org/communications/contact>

Section 13.03. Grass should be maintained and not to exceed five (5) inches in height. Any brown or bare patches should be repaired during the spring or fall seeding season. The grass, weeds, shrubs, and vegetation will be cut when and as often as necessary. Grass clippings must be properly disposed of. (Do not blow on street)

Section 13.04. Trees in front of the homes should be trimmed as to not create an obstacle or hazard to pedestrians or motorists. Trees should be trimmed so motorists can see signage.

Section 13.05. Edge the driveway and sidewalks and keep the shrubs and bushes pruned. Driveway and sidewalk cracks should be kept clear of grass and weeds. Flower beds and shrubbery areas must be free of weeds. Dead trees and shrubs must be removed and replaced with plantings of similar size and shape.

Section 13.06. Vegetable gardens are permitted, provided the plants do not exceed allowed fence heights or grow through to the neighbors' yard. Gardens should not to be visible from the street upon which the house fronts.

Section 13.07. Lawn furniture, barbecue equipment, toys, bikes, trampolines, etc., must be kept in good repair. It must be stored in the garage or in the backyard when not in use.

Section 13.08. During holiday seasons outside seasonal decorations may be displayed up to five (5) weeks prior to and three (3) weeks after the holiday.

Hampton Pointe HOA Board Operating Procedure Covenant/Rules and Regulations Enforcement Policy

Philosophy of Enforcement

Hampton Pointe HOA seeks to maintain a pleasant, safe, and family-friendly neighborhood. Our goal is to support the legal covenants we all agreed to follow when we bought our Hampton Pointe property so that we are all contributing to the betterment of our Hampton Pointe community. Consistent enforcement of our Covenants, Conditions, & Restrictions (CC&Rs) ensures that all homeowners follow the legal restrictions that are in place to protect our property values. Hampton Pointe HOA strongly encourages neighbors to discuss concerns and work together to maintain our community covenants prior to reporting perceived violations to the HOA.

Violations of all rules and regulations as well as the restrictive covenants result in the following process. Most violations can be brought back into compliance by the homeowner/tenant upon receipt of a notice and warning and are not repeated so that a fine is not assessed. However, if violations are not corrected within the time allotted or are repeated periodically, the violations become chronic and repetitive and have a more serious negative impact on the community and a correspondingly more significant fine.

Reporting of Violations:

The reporting of violations may come from a variety of sources. These sources include the bi-weekly drive-through by the property manager, from the HOA Board, or by another resident. Depending on the source of the reported violation, two different courses of action will be taken. If the violation is reported by:

Property Manager/HOA Board Member: The violation will be annotated on the property management violation report within 24 hours of the observation. All violations must be documented utilizing a photograph. For bi-weekly Friday drive-thru, all violations will be annotated prior to the end of the business day.

Community Resident: The written violation will be sent to either the property manager or sent to the HOA Board. If sent to the property manager, the manager will forward the violation to the President of the Board. The Board President will then assign a board member to investigate the violation within 48 hours and submit findings (photograph) back to the HOA Board President and property manager simultaneously. If a violation is noted, the property manager will annotate the violation on the violation report before the end of the business day. If no violation is noted, no further action will be taken.

Timelines and Procedures:

Once a violation has been annotated on the violation report, the following timelines and procedures will be followed:

1st violation:

- a) Property Management company will:
 - i) Issue notice and warning packet before end of business day thru the USPS.
 - ii) Give resident one of the following suspense deadlines:
 - (1) **14-day suspense** for violations that require little to no additional resources. These include but are not limited to: trash/recyclable visible from front of home, vehicles/trailers not stored properly, mowing/weeding of lawn, etc.

- (2) **30-day suspense** for the violation that would require more time to bring the violation back into compliance. These include such but are not limited to: home repairs, fence repairs including staining of fence, repair/replacement of mailboxes, etc.
- iii) During the next scheduled property inspection, check for the following:
 - (1) Verifying whether or not the violation has been corrected
 - (a) If violation is corrected:
 - (i) Send thank you letter to resident
 - (ii) By end of the business day, update the on-line violation report changing status of violation to a "closed" status
 - (b) If violation remains uncorrected and the suspense has expired:
 - (i) Issue 2nd offense letter packet by the end of the business day thru the USPS.
 - (ii) Follow the same suspense guidelines as stated above
 - (iii) Add second violation to on-line system
 - (iv) Continue to make comments/actions taken in the on-line system until violation is corrected.
 - (v) Once corrected:
 1. Send thank you letter to resident
 2. Update on-line violation report to "closed" status
 - (c) If violation remains uncorrected after the 2nd notice letter suspense, then:
 - (i) Issue 3rd offense letter (hearing notification) packet by the end of the business day thru the USPS.
 - (ii) Schedule with the homeowner/resident and the President of the Board, a date, time, and place, for violation hearing
 - (iii) Follow the same suspense guidelines as stated above
 - (iv) Add third violation (hearing letter) to on-line system
 - (v) Continue to make comments in the on-line system until violation is corrected.
 - (vi) Once corrected:
 1. Send thank you letter to resident
 2. Update on-line violation report to "closed" status

2nd violation (same violation within a six-month period):

- b) Property Management company will:
 - i) Issue notice and warning packet before end of business day thru the USPS.
 - ii) Give resident one of the following suspense deadlines:
 - (1) **14-day suspense** for violations that require little to no additional resources. These include but are not limited to: trash/recyclable visible from front of home, vehicles/trailers not stored properly, mowing/weeding of lawn, etc.
 - (2) **30-day suspense** for the violation that would require more time to bring the violation back into compliance. These include such but are not limited to: home repairs, fence repairs including staining of fence, repair/replacement of mailboxes, etc.
- iii) During the next scheduled property inspection, check for the following:
 - (1) Verifying whether or not the violation has been corrected
 - (a) If violation is corrected:
 - (i) Send thank you letter to resident
 - (ii) By end of the business day, update the on-line violation report changing status of violation to a "closed" status
 - (b) If violation remains uncorrected and the suspense has expired:
 - (i) Issue 2nd offense letter packet by the end of the business day thru the USPS.
 - (ii) Follow the same suspense guidelines as stated above

- (iii) Add second violation to on-line system
- (iv) Continue to make comments/actions taken in the on-line system until violation is corrected.
- (v) Once corrected:
 - 1. Send thank you letter to resident
 - 2. Update on-line violation report to "closed" status
- (c) If violation remains uncorrected after the 2nd notice letter suspense, then:
 - (i) Issue 3rd offense letter (hearing notification) packet by the end of the business day thru the USPS.
 - (ii) Schedule with the homeowner/resident and the President of the Board, a date, time, and place, for violation hearing
 - (iii) Follow the same suspense guidelines as stated above
 - (iv) Add third violation (fine letter) to on-line system
 - (v) Continue to make comments in the on-line system until violation is corrected.
 - (vi) Once corrected:
 - 1. Send thank you letter to resident
 - 2. Update on-line violation report to "closed" status

3rd violation (same violation within a six-month period):

- c) Property Management company will:
 - i) Issue 3rd Violation Letter (Hearing Letter) packet by the end of the business day.
 - ii) Schedule with the homeowner/resident and the President of the Board, a date, time, and place, for violation hearing
 - iii) Give resident one of the following suspense deadlines:
 - (1) **14-day suspense** for violations that require little to no additional resources. These include but are not limited to: trash/recyclable visible from front of home, vehicles/trailers not stored properly, mowing/weeding of lawn, etc.
 - (2) **30-day suspense** for the violation that would require more time to bring the violation back into compliance. These include such but are not limited to: home repairs, fence repairs including staining of fence, repair/replacement of mailboxes, etc.
- iv) During the next scheduled property inspection and or prior to the hearing , check for the following:
 - (1) Verifying whether or not the violation has been corrected
 - (a) If violation is corrected:
 - (i) Send thank you letter to resident
 - (ii) By the end of the business day, update the on-line violation report changing status of violation to a "closed" status
 - (b) If violation remains uncorrected and the suspense has expired:
 - (i) Issue a reminder letter current with current fine calculations thru the USPS.
 - (ii) Follow the same suspense guidelines as stated above
 - (iii) Continue to make comments in the on-line system until violation is corrected.
 - (iv) Once corrected:
 - 1. Send thank you letter to resident
 - 2. Update on-line violation report to "closed" status

Greater than 3 violations

After the 3rd violation, we will continue to follow the procedures outlined for the 3rd violation.

Fining Schedule

If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100.00) may be

imposed. Without further hearing, for each day more than five days after the decision that the violation occurs an additional ten dollars (\$10.00) will be imposed. Such fines shall be assessments secured by liens under G.S. 47F-3-116.

1st Fine: \$75.00

2nd Fine and thereafter: \$100.00

Fining Procedures

These procedures are in compliance with the North Carolina Planned Community Act (Chapter 47F) and the North Carolina Nonprofit Corporations Act (Chapter 55A)

- 1) The Notice must:
 - a) Describe the violation that is the basis for the action, charge, or fine and state any amount due the association from the owner.
 - b) Be sent thru the USPS; only in rare cases should notices be sent via email.
 - c) Inform the owner that the owner:
 - 1) is entitled to a reasonable period to cure the violation and avoid the fine
 - 2) may request a hearing under Section 47F-3-107.1 on or before the 15th day after the date the owner receives the notice.
- 2) Hearing.
 - a) If the owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request to the property manager for a hearing to discuss and verify facts and resolve the matter in issue before the Board.
 - b) The Association shall hold a hearing under Section 47F-3-107.1 not later than the 15th day after the date the Board receives the owner's request for a hearing. The property manager shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. The Board or the owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties. The owner or the association may make an audio recording of the meeting.
 - c) An owner or the Association may use alternative dispute resolution services.
 - d) The executive board may affirm, vacate, or modify the prior violation decision.
 - e) The Board has a variety of options following a hearing, These options include but are not limited to:
 - i) Give owner additional time to resolve issue
 - ii) Determine that there was no violation as reported
 - iii) Levy a fine

Reports

The property management company will be responsible for maintaining the official violation report. The management company will:

- 1) Report all violations of the rules and regulations as well as the restrictive covenants.
- 2) Ensure the report is assessable by all board member through Boardroom
- 3) By the end of each business day, "close" all violation cases that are now in compliance
- 4) During each bi-weekly drive-thru, check all open violations to determine whether the homeowner/resident is in compliance or not.
- 5) Track all violations utilizing the violation tracking system from the initial violation through final disposition
- 6) "Close" all violations directed by the Board President
- 7) Provide the Board no-later-than (NLT) the Tuesday following each bi-weekly drive-thru, a copy of the previous drive-thru report, as well as, a copy of the most recent report.