

CREEKVIEW COMMONS HOMEOWNERS' ASSOCIATION
RULES ENFORCEMENT POLICY AND PROCEDURES

WHEREAS, Article III, Section 20 of the By-Laws grants the Board of Directors ("Board") the powers and duties necessary for the administration of the affairs of the Association.

WHEREAS, for the benefit and protection of the Association and of the individual members, the Board deems it desirable to establish and operate by a uniform procedure to assure an orderly disposition of all cases where there is a question of compliance by a unit owner, his family, his guests or tenants, with the provisions of the Declaration, By-Laws or the Rules and Regulations as amended ("Association Documents"), thereby minimizing the necessity of seeking action in and through a court of law or equity; and

WHEREAS, it is the intent of the Board to establish a uniform procedure for the Board to follow when action must be taken relative to questions of compliance by individuals with the provisions of the Association Documents;

NOW, THEREFORE BE IT RESOLVED that the following be adopted by the Board as the Rules Enforcement Policy and Procedure of the Association.

This policy is to be used by the Board in all cases of alleged violations of the Association Documents. The Board must have documentation of the alleged violation. This documentation can be in the form of a letter or note or a completed Rule Violation Form, from any unit owner or a report from the management representative. This documentation should state essentially the following:

- 1) The nature of the violation;
- 2) The date and approximate time of the violation;
- 3) The approximate location of the violation;
- 4) The name and unit address of the offending party;
- 5) The name and unit address of the person reporting the violation;
- 6) A statement verifying that the person reporting the violation actually observed the violation;
- 7) Any other information that may aid the Board in resolving the violation.

The sequence of events in enforcing this policy and procedure is as follows:

If, in the opinion of the Board or its authorized management agent, the reported violation does not endanger other residents or common elements, the Board or its authorized agent shall cause to be sent to the offending party and/or unit owner by regular mail a written warning notice of the violation demanding (1) that any such violation cease immediately, and (2) if appropriate, the common element that was damaged by the violation be restored.

If the violating party and/or unit owner does not comply with the warning letter, and continues thereafter to violate the Association Documents, the Board or its authorized agent shall cause to be sent to the offending party and/or unit owner by regular mail a fine written notice of the violation and pending fine, containing essentially the following information:

- 1) A description of the nature, the time and place of the violation;
- 2) A demand that the violation immediately cease and that any damage to the common elements be restored, within a ten (10) day period;
- 3) A statement that a fine in the amount as set forth below is imposed on the offending party

- and/or unit owner and the fine shall be \$250.00 when the offense results in an arrest;
- 4) A statement that if the offender and/or unit owner wishes to appeal the fine, he/she must contact the managing agent (or the Board if there is no managing agent) in writing, within ten (10) days from the date of the notice of violation, requesting a hearing before the Board. Any request for an appeal before the Board will stay the imposition of any fine until the Board disposes of the case, noting however that if the Board finds the alleged violator and/or unit owner guilty of the infraction charged that any fine imposed will be retroactive to the date the Board's initial notice of the violation to the violator and/or unit owner;
 - 5) A warning that, if the violation continues, a fine of twenty dollars (\$5.00) per day thereafter will be imposed until the violation has been cured; and
 - 6) A statement that any damage caused by the violation will be assessed against the offending party and/or unit owner, and that attorney fees and costs may be assessed accordingly.

Fine Structure:

First letter – warning

Second letter – \$50 fine

Third letter – \$75 fine

Fourth letter and subsequent letters - \$25 increments

If any fines imposed by the Board under this policy and procedure are not paid within thirty (30) days of the initial assessment or the violation otherwise continues, the matter may be referred by the Board to legal counsel for appropriate legal action. If the matter is referred to legal counsel, all reasonable attorney's fees, interest and costs incurred shall be assessed and collected against the offending party and/or unit owner. If at any time a unit owner or violator fails to pay any sums due to the Association for any reason, then those sums due will accrue interest at the rate of one percent (1%) per month on the outstanding balance until said sums are paid in full.

This policy and procedure is applicable to any violation of the Association Documents which does not currently specify a fine and/or a method of collecting fines by the Board. If a section of the Association Documents does specify a fine and/or a method of collecting the fine, then the amount of the fine and/or the procedure set forth therein will be followed.

All fines are to be paid to:

CREEKVIEW COMMONS HOMEOWNERS' ASSOCIATION
c/o Acri Commercial Realty, Inc.
290 Perry Highway
Pittsburgh, PA 15229

Adopted by the Creekview Commons Homeowners Association Board of Directors this 15th day of October, 2021.

CREEKVIEW COMMONS HOMEOWNERS' ASSOCIATION

RULE VIOLATION REPORT

Before the Board can act upon any violation to the Rules and Regulations, all violations must be documented in writing. This form must be completed and mailed to the Management Office before any action will be taken.

1. Name and address of person reporting violation:

2. Name and address of offending party:

3. Nature of violation:

4. Date and time violation occurred:

5. Location where the violation occurred:

6. Statement of what you observed:

7. Any other pertinent information that may aid the Board in resolving the violation:

By signing this complaint form, I hereby attest that the information is true to the best of my knowledge, and I am willing to participate with the Executive Board on this action in acting as a witness, if necessary.

Date

Signature of Person Reporting Violation

Return completed form to:
Acri Commercial Realty, Inc.
290 Perry Highway
Pittsburgh, PA 15229