

**RESOLUTION OF
SUNDANCE HOMEOWNERS ASSOCIATION, INC.
REGARDING POLICIES AND PROCEDURES FOR
COVENANT AND RULE ENFORCEMENT**

**SUBJECT
AND
PURPOSE:**

To adopt a policy regarding the enforcement of covenants, rules and regulations and procedures for the notice of alleged violations, conduct of hearings and imposition of fines.

AUTHORITY:

The Declaration of Covenants, Condition and Restrictions for Sundance Homeowners Association ("Declaration"), Articles of Incorporation ("Articles") and Bylaws of the Association and Colorado law.

**EFFECTIVE
DATE:**

August 22, 2016.

RESOLUTION:

The Association hereby adopts the following policies and procedures, contained herein.

PRESIDENT'S

CERTIFICATION: IN WITNESS WHEREOF, the undersigned certifies that this Covenant and Rule Enforcement Policy and Procedure was adopted by resolution of the Board of directors of the Association this 22nd day of August 2016.

SUNDANCE HOMEOWNERS ASSOCIATION, INC.
a Colorado nonprofit corporation

By: _____


K.J. McCorry, President

Covenant and Rule Enforcement

1. Reporting Violations to the Association. Complaints regarding alleged violations may be reported by an Owner or resident within the community, a group of Owners or residents, the Association's management company, if any, Board member(s) or committee member(s) by submission of a complaint.
2. Complaints.
 - a. Complaints by Owners or residents will be in writing and submitted to the Board of Directors. A written complaint is not required if the alleged violation can be independently verified by the Association. The complaining Owner or resident will have observed the alleged violation and will identify the complainant ("Complainant"), the alleged violator ("Violator"), if known, and set forth a statement describing the alleged violation, referencing the specific provisions which are alleged to have been violated, when the violation was observed and any other pertinent information. Complaints failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the Association.
 - b. Complaints by a member of the Board of Directors, a committee member, or the manager, if any, may be made in writing or by any other means deemed appropriate by the Board if such violation was observed by the Director or manager.
3. Investigation. Upon receipt of a complaint by the Association, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board designated individual or committee. The Board will have sole discretion in appointing an individual or committee to investigate the matter.
4. Notice and Hearing Procedures. Notice and hearing procedures for alleged violations of the Association's governing documents are as set forth in Article 10 of the Association's Bylaws.
5. Fine Schedule of the Association. Unless otherwise provided in this Policy or in the Declaration, Articles, Bylaws or Rules and Regulations for the community, any violation of the governing documents may subject the Owner to a reasonable fine assessment imposed by the Association as follows:
 - a. Fines will be determined by the Board for each finding of a violation based on the type, severity, repetition and circumstances of each violation based on the following guidelines:
 - First violation – Warning; Courtesy Notice
 - Second Violation (of same covenant or rule) – \$100
 - Third Violation (of same covenant or rule) – \$200
 - Fourth Violation (of same covenant or rule) – \$500
 - b. At the Board's discretion, fourth and subsequent covenant violations may be turned over to the Association's attorney to take appropriate legal action, or other available remedies may be pursued.
 - c. At the Board's discretion, any Owner committing three or more violations in a six month period (whether the violations are of the same covenant or different covenants) may be turned over to the Association's attorney for any appropriate legal action, or the Board may pursue other available remedies.
6. Other Enforcement Means of the Association. The fine schedule and enforcement process included in this Policy is in addition to all other enforcement means which are available to the Association through its Declaration, Articles, Bylaws, and Colorado law. The use of this process does not

preclude the Association from using any other enforcement means, including, but not limited to, (1) pursuing legal action, (2) levying Reimbursement Assessments, and (3) pursuing self-help or other remedies.

7. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the Violator coming into and staying in compliance with the Articles, Declaration, Bylaws or Rules.