



Arnold Lilac Park Homeowners Association

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Policy for Imposing Fines and Schedule of Fines

This document sets forth the Arnold Lilac Park Homeowners' Association's (ALPHA) policy for imposing fines for violations of the Association's Governing Documents and its Schedule of Fines, pursuant to California Civil Code section 5850(a), ALPHA's By-Laws and the Arnold Lilac Park Covenants, Conditions and Restrictions (CC&Rs).

1. Authority of ALPHA's Board of Directors

The Board of Directors, pursuant to the Governing Documents, has the authority to adopt and establish rules, regulations, and policies relating to the administration, management, operation, use and occupancy of the HOA's Common Area, and the personal conduct of owners and residents, members of their household, pets, tenants, invitees, and guests, and to take such steps as it deems necessary for the enforcement of rules and other Governing Documents.

2. Member Responsibility

Each owner is a Member of ALPHA and is responsible for complying, and for their family members, tenants, invitees, guests, and household members compliance with the Governing Documents. Owners shall give their tenants copies of the Governing Documents, including rules and any amendments as they are adopted. In the case of a violation by a non-member party, ALPHA shall notify the responsible owner, and any disciplinary action for non-compliance will be imposed against the member.

3. Notice of Violation and Opportunity to Cure

The Board shall provide a member who is responsible for a violation with written notice of the violation and may, depending on the nature of the violation, provide the Member a reasonable time to cure or correct the violation. If the Member fails to cure or correct the violation, or if the Board determines that providing an opportunity to cure or correct is not appropriate under the circumstances, the Board shall notify the Member of the hearing at which the Board will consider its disciplinary options, including levying fines and suspension of membership rights.

4. Hearing

A hearing shall be conducted by the Board. The Member shall be entitled to attend the hearing and address the Board. Alternatively, the Member may submit a written explanation to the Board prior to the hearing for the Board to consider.

5. Hearing Notice

At least fifteen (15) days before the hearing at which the Board will consider discipline of the responsible Member, the Board shall notify such Member in writing so that the Member is aware of the nature of the violation, the evidence thereof, and what discipline the Board can consider, the Hearing Notice shall:

- a. Identify the Governing Document provision(s) alleged to be violated.

- b. Set forth the facts that the Board believes justify disciplinary action.
- c. Identify the date, time, and place of the hearing.
- d. Describe the disciplinary action being contemplated.
- e. State that the member is entitled to attend the hearing to address the Board.

This notice will be sent by registered mail to the most recent address for the Member as shown on the records of the Association.

6. Imposing Disciplinary Action

The Board may impose one or more disciplinary actions if it determines at the hearing that the Member or a non-member party for whom the Member is responsible has violated the Governing Documents. Disciplinary action may include but is not limited to temporary suspension of membership rights, fines, and/or any other discipline authorized in the Governing Documents for such violation.

7. Notice of Board’s Decision: Effective Date of Disciplinary Action

The Board shall notify the Member of its decision, in writing, within fifteen (15) days after the meeting. If any disciplinary action is imposed, the notice shall describe the disciplinary action and its effective date.

8. Schedule of Fines

The Board of Directors has adopted the following Schedule of Fines, which will be in effect until changed by action of the Board:

Conduct Violations:

Examples: disruptions, noise, rule violations, lights, causing damage to the Common Area, etc.

First violation:	Warning
Second instance of the same violation:	\$ 50.00
Third instance of the same violation:	\$100.00
Fourth and subsequent instance of the same violation:	\$200.00

9. Payment of Fines

Fines are due when imposed by the Board and are delinquent if not paid within thirty (30) days after they are due. All sums payable hereunder by a member shall be subject to late charges, interest and collection as permitted by the Governing Documents, including but not limited to a lawsuit to compel payment of delinquent amounts and to recover attorneys’ fees and costs of enforcement.

10. Other Remedies

ALPHA reserves the right to avail itself of any other remedy permitted by law and the Governing Documents to enforce the provisions of the Governing Documents. These remedies include, but are not limited to, requesting that the matter be submitted to a form of internal dispute resolution, mediation or arbitration, seeking assistance from local law enforcement, county code compliance or similar public agencies as applicable, or bring an action in court.