

# Vactor Ranch Community Association

## Schedule of Fines

Per CC&R Article VI, Section 6.02, the Board may establish By-Laws and Rules.

Per By-Laws Article VII, Section 1 – **Powers**, the Board may establish Penalties for Infractions

And in accordance with the Resolution on Fines adopted by the Board

The Board has hereby established a Schedule of Fines for Infractions as follows:

\$100 after determination at hearing that a resolution cannot be achieved without financial leverage

Interest will be charged on unpaid amounts at the rate of 1% over prime rate

Reasonable Attorneys Fees, Court Costs and Administrative fees will be charged as expended.

If the infraction continues unresolved after fines have been assessed, fines shall go up by \$100 per month until resolved, i.e. first month = \$100, 2<sup>nd</sup> month = \$200, third month = \$300. When total unpaid fines reach \$800, account shall be turned over for collection and all collection fees shall be added to the amount due.

Speeding and other repetitive fines shall be per infraction rather than per month

Fines of a timely nature, such as overgrown weeds, shall be assessed weekly but follow the same fine schedule of increasing in amount each month, i.e. first through fourth week = \$25 per week, fifth through eight week = \$50 per week, ninth week to twelfth week = \$75 per week

The hope is that fines will never need to be assessed and that all infractions shall be resolved no later than the end of a hearing, but fines remain as an enforcement tool if needed.

Explanation of Rate:

The \$100 base fine and increasing amounts are consistent with fines charged in nearby neighborhoods. The Board and Pinehurst, our management company, believe that, based on substantial experience, less than \$100 will not get the attention required for resolution and that larger fines are required for inspiration if no action has been taken to resolve the infraction.

Note that if a fine is paid, but the infraction is not resolved, the payment is admission of infraction but continuing fines will accrue until the infraction has been resolved.

Nothing in the Resolution on Fines or this Schedule shall in any way interfere with the rights of the Board to “repair, maintain and restore the dwelling” as per CC&R Article IV, Section 4.04, to resolve the issue at the homeowners expense.

Approved by Vactor Ranch Board 3/13/18