

Fine Schedule
Greyhawk Homeowners Association, Inc.
("Fine Schedule")

Adopted 05/07/2020

I. BASIS FOR THE POLICY:

A uniform and systematic procedure for enforcement of violations through communications, fines and further legal action when appropriate is in the best interests of all Owners of the Association.

II. DEFINED TERMS

- A. **"Association"** shall mean Greyhawk Homeowners Association, Inc., a nonprofit corporation organized under the laws of the State of Utah.
- B. **"Board"** shall mean the Board of Directors or Management Committee of the Association.
- C. **"Declaration"** shall mean the *Amended & Restated Declaration of Covenants, Conditions & Restrictions & Reservation of Easements for Greyhawk Townhomes South PRUD*, recorded October 11, 2019, as Entry No. 3195065 in the Davis County Recorder's Office, state of Utah
- D. **"Governing Documents"** shall mean the Declaration, bylaws, rules, regulations, adopted Policies and similarly adopted procedure of the Association.
- E. **"Owner"** shall mean the owner(s) of a Unit in the Association.

III. LEGAL AUTHORITY

The Community Association Act and the Declaration authorize the Association to enforce violations through the imposition of fines, together with all amounts incurred in obtaining compliance with the Governing Documents, together with interest, attorney fees and costs of collection, which amounts may become lienable as provided in the Community Association Act.

IV. REPORTING VIOLATIONS

All violations of the Governing Documents must be observed by a member of the Board, managing agent, or reported to the Board or managing agent in writing, which writing shall specify: the date and time of the violation; details of the violation, including applicable evidence; and the name and contact information of the person reporting the violation. The Association or its managing agent may utilize a required form for reporting violations.

V. FINE AMOUNTS

When the Board determines (which may be delegated to a managing agent) that a fine is warranted, the following amounts, which amounts are subject to change through modification of this Fine Schedule, shall apply:

- Quiet Enjoyment (Nuisance): \$100.00 each occurrence
- Trash: \$100.00 each occurrence
- Maintenance of Animals: \$100.00 each occurrence
- Rental Violations (including short term or nightly rentals) - \$300.00 each occurrence

- Business Use violations \$500.00 each occurrence
- Other violations of the Governing Documents: \$100.00 each occurrence

VI. FINE SCHEDULE

1. On the first offense, a warning notice will be sent via email to the offending Owner (and occupant if available). No fine will be levied with this first warning notice. The offending Owner will be given a minimum of 48 hours to bring the violation into compliance.
2. If the Owner or occupant fails to correct the violation within the time frame provided in the first notice, a fine will be levied in the amount listed above.
3. Thereafter, if a second or subsequent like-violation is committed within one (1) year from the first notice, the fine amount above will double (or the maximum amount allowed by law) for each like-violation within the next year. The Association may, but is not required, to provide additional notice prior to levying this fine.
4. For a continuing violation that has not been corrected, a fine may be levied every ten days and will follow the amounts and schedule above, unless a lesser amount is determined in the sole discretion of the Board.

VII. ENFORCEMENT

Once a fine has been levied, the Association may pursue any and all collection efforts to collect the fine amount, including but not limited to: (1) turning the matter over to an attorney for collection; (2) recording and foreclosing a lien, in accordance with the Community Association Act; (3) initiating a lawsuit through state court; and (4) other appropriate legal action. Pursuant to the Governing Documents and Utah law, an Owner in violation of the Governing Documents shall be obligated to pay reasonable fees and costs, including attorney fees, incurred in enforcing and collecting the fine amount, regardless of whether further legal action is initiated.

BE IT RESOLVED that the Board may, in addition to fines, also take legal action to enforce violations that remain unresolved after the first notice, as allowed by the Governing Documents and/or Utah law.

BE IT FURTHER RESOLVED, a copy of this Fine Schedule shall be sent to all Owners.

I hereby certify that this Fine Schedule was adopted by the vote of the Board at a properly-called meeting of the Board of the Association.

ATTEST: This 7 day of May, 2020.

GREYHAWK HOMEOWNERS ASSOCIATION, INC.

By:  _____
DocuSigned By: ED1EB3C8D2A546E

Its: President