

Gold Mountain Homeowners Association Schedule of Monetary Penalties

This schedule of monetary penalties is published to comply with the California Civil Code and to ensure compliance with the Association's governing documents. It is not intended to raise additional funds for the Association.

Gold Mountain Homeowners Association is a California Common Interest Development. It is operated in compliance with its governing documents which include CC&R's (Covenants, Conditions and Restrictions), Articles of Incorporation, By-laws, Resolutions and Design Review Guidelines.

The Board of Directors of the Gold Mountain Homeowners Association is committed to preserving and enhancing property values, and to foster or protect the interests of the association and its members. To this end, the Board is charged with enforcement of the rules enumerated in the governing documents.

When people stray from the reasonable requirements of the documents that regulate our Association, it often creates problems, polarizes neighbors, and disappoints expectations on the part of residents that the Association will enforce the CC&Rs and Rules and Regulations. Our Bylaws and/or CC&Rs authorize fining for violations of the governing documents and California law requires distribution of a policy in the event the Association might consider the use of fines.

The Board considers fining and penalties only as an alternative to be exercised after reasonable efforts to work with property owners to encourage them to voluntarily cure violations have failed. Should informal efforts at resolving alleged violations of the rules be exhausted, the Board, after holding a hearing at which the property owner will receive notice and opportunity to be heard, may impose a monetary penalty.

DISTRIBUTION OF THIS POLICY

In conformance with California Civil Code 1363 (g), the Board of Directors will be distributing this policy at a minimum on a one-time basis. It will then remain in effect until modified by the Board of Directors. At any time in the future when the policy is modified, it will be redistributed to the members. It will also be provided to new members of the Association.

NOTICE AND HEARINGS

A member shall be given at least 10 days prior notice of the meeting at which discipline will be considered and the nature and extent of any violation believed to be occurring.

The notice may be given by first-class or registered mail, or personal delivery. At the time stated, the member may attend and address the Board. The Board shall provide the Owner with written notice of any disciplinary action discussed and approved within 15 days of the date the decision is reached.

MONETARY PENALTIES

If the decision of the Board is that a violation has in fact occurred (and/or is continuing to occur), the Board decision might include the levying of a fine. The following is a schedule of monetary penalties (fines). Fines may be imposed concurrently with other action by the Board to address a violation if it is necessary.

Architectural/Design/Construction Violations – For example: painting/staining or construction of a building addition, fence, wall or other structure without Design Review Committee approval; exterior changes made during construction without prior approval, unapproved lighting, excessive construction debris, etc.

Fine: \$100.00 plus \$25 per day for each recurring day until corrected, with the maximum amount of the fine not to exceed the estimated cost to correct the violation (cost estimate to be obtained by the Association). Any cost for the estimate will be added to the fine assessment.

Non-Architectural or Maintenance Violations – For example: failure to paint/stain after being notified, failure to maintain landscaping or use approved plantings, unapproved signage, parking off pavement or exceeding parking time limits for recreational vehicles, nuisances (including barking dogs, loud music, etc.)

Fine: \$50.00 plus \$10 per day for each recurring day until violation eliminated, with the maximum amount of the fine not to exceed the estimated cost to correct the violation (cost estimate to be obtained by the Association). Any cost for the estimate will be added to the fine assessment.

Removal of Trees without Approval – Trees larger than 9 inches in diameter as measured three feet above the ground must be approved for removal by the HOA Board of Directors or its designee.

Fine: Up to \$2500 per tree plus cost to plant a tree replacement (cost estimate to be obtained by the Association).