

WALDEN HOMEOWNER'S ASSOCIATION (HOA) RESOLUTION  
APRIL 27, 2016

This resolution is to establish procedures for HOA handling of violations of covenants (Walden Subdivision Covenants). Violations of covenants will be addressed when the HOA receives notification of complaints from Walden homeowners and/or occupants of the Walden community (to include HOA board members).

The procedures below should be implemented by the HOA Covenants Chair and/or the Covenants Committee or by any member of the Board of Directors.

1. If the complaint is determined to be a valid Walden covenant violation, the HOA shall contact the responsible homeowner, by any or all of the following ways – e-mail, telephone, personal visit, etc. – to informally request the violation(s) be immediately corrected and to determine a short term date that correction will occur.
2. If the violation(s) is not corrected within that timeframe, then the HOA Board (normally the Covenants Chair and/or Covenants Committee) will send a formal, certified letter to the violating Homeowner and/or Resident demanding immediate correction (per Section 21 of the Walden By-Laws), specifying:
  - a. The alleged violation(s).
  - b. The action required to abate the violation(s).
  - c. A time period, not less than ten (10) days, during which the violation(s) may be abated without further violation, if such violation is a continuing one, or a statement that any further violation of the same rule may result in the imposition of a fine. The Board or its designee may demand immediate abatement in such circumstances which, in the Board's determination, pose a danger to safety or property.
3. If the violation is not corrected with the time period stated (not less than 10 days of Homeowner's receipt of the certified letter), the Board may request legal counsel send a Demand letter to the Homeowner (not the resident) notifying them to remedy the violation(s) in 10 days or a fine of \$100.00 per violation will be assessed on the first of every month in which the violation(s) persist with further equal fines being assessed on the first of every month in which the violation(s) persist. This legal notice, per Section 21 of the Walden By-Laws must state:
  - a. The nature of the violation(s).
  - b. That the alleged violator may, within 10 days from the date of the notice request a hearing regarding the fine.
  - c. That any statements, evidence and witnesses may be produced by the alleged violator at the hearing, and
  - d. That all rights to have fine reconsidered are waived if a hearing is not requested within ten (10) days of the date of the notice.

If a hearing is requested, it shall be held before the Board in executive session and the alleged violator shall be given a reasonable opportunity to be heard. The minutes of the meeting shall contain a written statement of the results of the hearing.

4. If there is no action to remedy the violation(s) or to request a hearing, within the second ten (10) day period, the fine will be assessed and legal counsel will represent the Board in further actions and notifications. Attorney fees will be imposed. Fines will stop accruing once the violation(s) are remedied; attorney fees will accrue until the account is paid off.
5. If the violation(s) are not remedied and all the above fines/fees are not paid within 60 days, a lien may be imposed and filed by Walden's legal counsel.
6. The HOA Board retains the right, at its discretion, to exercise any other remedies at any time, including, but not limited to, self-help and filing a lawsuit.

APPROVED BY THE WALDEN BOARD OF DIRECTORS ON 27 APRIL 2016