

***GLENOAK HILLS COMMUNITY ASSOCIATION***  
**REVISED FINES POLICY**

The Revised Fines Policy was adopted by the Board of Directors at the open Board meeting on January 25, 2024.

**Purpose:** The purpose of the rule changes are to enhance the ability of the Association to enforce the governing documents, increase the amount of certain fines to encourage compliance, provide for fines for short-term rentals, if they are in violation of the governing documents, clarify the notice and hearing procedure, and allow members to request a hearing on continuing fines for uncorrected violations.

**Effect:** The rule changes set forth in the Revised Fines Policy shall take effect and be used by the Association as a non-exclusive means of enforcement of the governing documents.

Please retain a copy of this notice for your records.

**BOARD OF DIRECTORS RESOLUTION**

WHEREAS, Civil Code Section 5310 requires associations that have adopted a policy of imposing fines on any member for violation of the association's governing documents (including association rules) to deliver a notice to all members specifying a schedule of the monetary penalties that could be imposed; and

WHEREAS, the CC&Rs and/or Bylaws of the Association grants to the Board of Directors the authority to levy and collect fines for failure to conform to said CC&Rs and Bylaws of the Association; and

WHEREAS, the Board of Directors has fully discussed and considered the matter;

NOW, THEREFORE, BE IT RESOLVED, that the association hereby adopts the following policies and practices for imposing fines for violation of the Association governing documents:

**PROCEDURES AND GENERAL VIOLATIONS**

1. The Association's enforcement procedures generally follow the process set forth below. Some violations may warrant handling in a different manner; in which case, one or more of the steps below may be repeated or omitted, depending upon the circumstances. Nevertheless, for the most part, the Association's Board of Directors expects that most violation matters will be handled in accordance with these procedures.
2. The first notice of a violation shall be sent regular first-class mail giving thirty (30) calendar days to rectify the violation.
3. Should the violation not be corrected within said thirty (30) calendar days, and no written extension of time to comply having been granted by the Board of Directors, a certified letter will be sent informing the violator of their right to appear before the Board of Directors.

4. At said meeting, the Board of Directors shall impose an initial fine of \$ **200.00**, for failure to comply.
5.
  - a. Should the violation continue to exist, and no written extensions of time to comply having been granted, the fine shall remain at \$200.00 the next month and remain at \$200.00 per month each month thereafter and shall recur on a monthly basis without further notice until the violation is corrected.
  - b. A member subject to a continuing fine pursuant to paragraph 5.a, above, within 15 days of the date of the Association's notice of imposition of the continuing fine, may request, in writing to Association management, a hearing before the Board which shall be scheduled for the next regularly scheduled executive session and noticed following receipt of such timely request. At said hearing, the Board shall review the Association's documentation of the continuation/reoccurrence, hear from the member and determine whether to affirm, reverse or modify the continuing fine.
  - c. A member subject to a continuing fine pursuant to paragraph 5.a, above, fined at least three consecutive months will be sent a compliance enforcement demand notice by the Association's legal counsel. The member will be responsible to reimburse attorney fees and costs incurred by the Association in its pursuit to gain compliance from the member.
6. Should construction or other improvements be commenced without obtaining Architectural approval, the property owner will be sent a Cease & Desist Order and an ACC Application form with a request to submit plans within 14 calendar days to the Management Office for architectural review and approval.
7. If no ACC application is submitted within 14 calendar days from the date of the Cease & Desist Order, a hearing will be scheduled before the Board of Directors and a **\$200.00** fine may be imposed.
8. Should an activity be held "within the Association which is open to the general public, such as auctions, garage sales, yard sales, fundraisers, etc."; a hearing will be scheduled before the Board of Directors and a \$200.00 fine may be imposed. (*CC&R, Article VI, Section 6.02 (f)*)
9. Nothing herein limits the Association's available remedies for a violation of its governing documents. While the Association may follow the above procedure, its Board may determine, at any time, that the Association shall pursue a different or additional remedy for such a violation, including filing and prosecution of a legal action, or any other remedy available to the Association under the governing documents or the law. The Board of Directors has the right to engage other agencies, if applicable.

#### **VIOLATIONS OF SHORT-TERM RENTAL RULES**

10. **Failure to Provide the Association the Short-Term Rental Certificate.** Any member who enters into any short-term rental arrangement with any tenant without having first submitted to the Association a copy of his/her/its current Short-Term Rental Certificate, required by Riverside County Ordinance No. 927, shall be subject to a fine of \$1,000.00 for each such short-term rental.
11. **Failure to Provide the Association With Other Information Required by Ordinance No. 927.** Any member who enters into any short-term rental arrangement with any tenant without having first submitted to the Association the member's (a) local contact person's name and telephone number, and (b) the member's statement of the maximum number of parking

spaces available on-site shall be subject to a fine of \$1,000.00 for each such short-term rental.

12. Short-Term Rental Nuisance. Any member's short-term rental arrangement which results in the tenant/occupant(s) causing or producing a nuisance to other parcels in violation of Section 6.01 of the Association's CC&Rs, as amended, shall be subject to a fine of \$1,000.00 per nuisance incident.

#### NOTICE AND HEARING

Any member alleged to have violated the governing documents shall be provided notice and hearing before the initial imposition of a fine in accordance with Civil Code Section 5855. Continuing violations shall be subject to hearings per Section 5.b, above.

The foregoing policies and practices shall remain in effect until such time as they may be changed, modified, or amended by a duly-adopted resolution of the Board of Directors.

#### CERTIFICATE OF SECRETARY

The undersigned, duly acting or appointed Secretary of the above corporation, certifies that the foregoing Resolution was duly moved, seconded and adopted by the requisite majority of the Board of Directors at a duly noticed meeting of the Board held on January 25, 2024.

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Secretary, GlenOak Hills Community Association

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Date