

COMPLAINT AND RULE ENFORCEMENT PROCEDURE

In order to affect an orderly process in the management of the Woods of Seldom Seen III Homeowners Association, it is necessary to have an enforcement procedure. The enforcement procedure covers all items contained in the Declaration of Covenants and Restrictions.

ESTABLISHMENT OF A VIOLATION:

- a. Architectural. Any improvement of any kind or nature erected, placed, painted or altered on any Lot which has not been grandfathered or first approved in writing by the governing Architectural Review Committee ("ARC") or which does not in all respects conform to what has been approved is deemed a "Violation" under this Enforcement Policy for all purposes.
- b. Use Restrictions. Any activity or condition allowed to continue on any Lot that is in direct opposition to the Declaration of Covenants and Restrictions, which is not expressly authorized, by the Board or ARC is deemed a "Violation" under this enforcement policy for all said purposes.
- c. "Owner" is considered the holder of record title to the fee interest in any Lot or Lot Owner. (On occasions when a renter occupies the premises, a copy of said violation will also be sent to their attention.)

COMPLAINT PROCEDURE:

1. All efforts should be made to resolve any difficulties between owners / neighbors by the parties involved. If these efforts are unsuccessful, than the complaint procedure may be employed.
2. Any owner should report a violation or infraction to a member of the Board by a written report of facts. This may be done by filling out a Report of Violation form. These forms are available on the website or from a Board member. Owners are encouraged to use the form. In the alternative, an Owner may report the violation in a written form, including an email, that includes all the information included on the form and which fully identifies the Owner requesting action by the Association. Signature of the owner is also requested. Any verbal concern is welcomed; however owners must confirm their complaint in writing for action to be taken by the Woods of Seldom Seen III Homeowners Association regarding the concern.
3. An owner is strictly liable for violations of these rules by his or her guests or tenants, and is therefore responsible to provide all tenants and guests with a copy of these rules and regulations. All tenant and guest violations will be cited against the owner. A copy of the violation shall also be sent to the tenant.
4. If the complaint is deemed valid, a First Notice of Violation letter will be sent to the offending owner of record at his or her last known address.

5. Notice of First Violation.

a. Initial Notice. Upon verification of the existence of a Violation of Declaration of Covenants and Restrictions, the Owner will be provided a Written Notice of the Violation and allotted time periods associated with degree and urgency of such violation. This First Written Notice will inform the recipient as follows:

Violation Enforcement Policy:

- (i) The nature, description and location of the Violation; and
- (ii) A request to remedy the Violation; and
- (iii) If the Member has any question for clarification of the Violation to please contact the sender; and
- (iv) The date the violation was observed and who observed it
- (v) If the Member fails to remedy the cited Violation after the First Letter within a period of 14 days, a Second Written Notice may be sent as stated herein. Where there is a property maintenance issue or where there is unanimously declared an emergency by the Board of Directors, there may be immediate action by the Board of Directors to correct the violation at the expense of the Owner involved, the cost which may be assessed and collected as a special individual assessment.

6. Notice of Second Violation. If the Owner fails to remedy the cited Violation or fails to submit plans for an unapproved structure or continues with a project denied by the ARC, no earlier than 14 days from the First Written Notice, a Second Notice of Violation may be sent to the Owner where appropriate and if action has not been taken, informing the recipient as follows:

- (i) The nature, description and location of the Violation and the failure of the Owner to correct the Violation, as previously requested; and
- (ii) Notice that if the Violation is corrected or eliminated within 14 days from the postmark of the Second Notice of Violation, further action will be taken.
- (iii) Failure to correct the Violation or cease work on any improvement will result in the Association electing to pursue any one of the remedies available to the Association under the Declaration, Bylaws, or this Enforcement policy, including correction or a fine; and
- (iv) If the Member has any question for clarification of the Violation to please contact the Board of Directors.

7. Notice of Third Letter Violation. When it has been determined that the 14 days allowed has failed to correct the Violation, the Board may elect to send a Third Written Notice to the Owner informing the recipient as follows;

- (i) The nature, description and location of the Violation and the failure of the Owner to correct the Violation, as previously requested; and
- (ii) Notice that if the Violation is corrected or eliminated immediately and notification to the Board that further action will not be taken.
- (iii) Failure to correct the Violation or cease work on any improvement will result in the Association electing to pursue any one of the remedies available to the Association under the Declaration, Bylaws, or this Enforcement policy, including correction or a fine; and

(iv) If the Member has any question for clarification of the Violation to please contact the Board of Directors.

8. The Board may at any time during the enforcement process determine it to be in the best interest of the Association to end the Violation process and refer the matter to Legal Counsel to pursue the Associations remedies, which may include injunctive relief to correct or otherwise abate the Violation.

9. An Owner may correct or eliminate a Violation at any time during the pendency of any procedure stated herein whereupon;

- a) When verified by the Board or a Board member that the Violation has been corrected, the Notice of Violation will be voided but remain a matter of record; and
- b) The Owner will remain liable for assessments, costs and/or fines provided by the Declaration of Covenants and Restrictions.

10. Repeat Violations: If a violation of the same nature is repeated within any one (1) year period after the last violation letter was sent, the violation letter process will continue uninterrupted. If a violation of the same nature reoccurs one (1) year or more after the last violation letter was sent, the violation will be considered new and the process starts from the beginning, or first letter.