

Silver Ridge of DeLand – Fine & Enforcement Plan

- I. **Purpose:** To improve the overall look of the HOA, maximize neighborhood's market value and enforce the existing By Laws. We're not creating or changing any covenant that was originally established. Each and every resident has accepted our By Laws at the closing of their property. The HOA is only enforcing these By Laws. Our HOA attorney advises that it is the *obligation* and *fiduciary responsibility* of each Board Director to enforce the *all* covenants and provisions of our governing documents.
- II. **Plan Overview:** In addition to starting an ARB Committee, the Board will approve and employ an outside contractor (CAM) to recognize our covenant violations through an established inspection system, notify all violators by mail, answer all resident concerns/questions, refer cleanup requests to Master Association and attend Board/Appeals meetings as needed. Hiring an independent, outside manager to manage the enforcement will eliminate any bias toward anyone resident or any specific covenant violation. It will also create a fair, consistently monitored/enforced system for dealing with violating residents, absentee landlords, and negligent tenants/homeowners and foreclosed/abandon properties
- III. **ARB Committee:**
- A. **Overview-** Create a 3 person, unpaid ARB Committee to approve all future ARB (architectural) changes to the residents' property (landscaping, paint, porches, fences, sheds, etc).
1. Members will be Board approved/appointed for a two year term.
 2. Members must be non-board owners.
- B. **Submittal Process-**Residents will submit requests on a Board approved submittal request.
Time periods to review and approve requests: Committee must review within 30 days of submittal request. If committee fails to respond within 30 days, it is deemed DISAPPROVED. Applicant may appeal to the Silver Board within 30 days of hearing decision. If Board fails to meet within 30 days to decide the plans are deemed APPROVED.
- IV. **Fine/Enforcement System:**
- A. **Overview-** In order to create a *non-biased, consistent* covenant fine/enforcement system the Board will approve and employ an outside, independent licensed Community Association Manager to manage the plan.
- CAM inspection frequency, HOA assistance and deadlines given to violators:** CAM will inspect twice per month. Board appointed HOA representative will assist CAM whenever necessary to insure efficient and consistent inspections.
- Violation Terms:** Violations will be:
- ONE day (garbage cans),
 - FIVE days (commercial cars, boats, hoops, play sets) as it may take longer for residents to find a way to correct and accommodate the newly enforced requirement),
 - TEN days (Overnight parked cars on streets, Landlord/Tenant leases and all other covenants except those deemed to be major violations, tree trimming in swell areas).
 - THIRTY days (Major violations like painting and landscaping, etc.)
 - All landlords must complete our HOA Information Sheet that includes tenant contact information (name, emails and phone #s) and who is responsible for landscape maintenance (including their contact information) along with copy of lease. The HOA may fine any landlord for not providing the Information Sheet within 14 days of being requested by the HOA.
- B. **Communication**
- CAM will manage all communication with residents (phone, email and types of letters sent).

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C. *\$ Amount of Fines per violation and frequency of increase:*

- Fines will be \$100 per violation and will increase \$100/day until it reaches \$1,000 maximum amount.
- The HOA will give owners a 14 day Notice before fines will be assessed. The Notice will also allow each owner 14 days to request a meeting to appeal the violation before the HOA Appeals Committee.
- Once proper Notice has been given, Violators will be turned over to our HOA attorney by our CAM within 30 days of reaching \$1,000. All attorney charges, exclusive of filing and foreclosure costs will be assessed to the resident and not the HOA. The HOA attorney will then lien violators' properties after his initial notice to resident. Board may vote to foreclose if further action is necessary.

V. **APPEALS (Hearing) Committee:**

- A. ***Overview***- Board will appoint 3 non-board, unpaid residents to serve as Appeals Committee members to hear and decide all resident appeals.
- B. ***Time periods to hear appeals***- Appeals will be heard by the committee within 30 days of request for appeal.
- C. ***Time allotted each appealing violator to speak at Appeals Meeting***- Each appealing violator will be given 30 minutes to present their appeal to the committee).
- D. ***Time given to the committee to decide***- Committee must decide within 3 business days. If no decision is reached within 3 days of hearing the appeal, it is considered approved/granted by the committee).
- E. ***Term of committee members***-2 year terms.