

Rule Enforcement Procedure Policy of the Cameron Village Homeowners' Association.

§ 101. Purpose & Policy Statement.

The Board of Directors (Board) of the Cameron Village Homeowners' Association (CVHOA or Association) adopted the following policy for handling fines issued for rule violations within the Cameron Village Condominiums neighborhood. The CVHOA Declarations require the Board to enforce the bylaws and rules of the Association. The goal of this policy's procedures is to provide consistent and fair enforcement of the Association's declaration, bylaws, and rules.

§ 102. Violation Enforcement Initiation & Investigation.

The Property Manager shall be responsible for initiating the CVHOA rule enforcement procedure and shall conduct the initial investigation of any violation. Board members, CVHOA members, and others may direct CVHOA rule violations to the Property Manager for enforcement.

§ 103. Notices of Violation.

If the Property Manager determines that a rule has been violated, the Property Manager may issue a "notice of violation" letter (NOV) that will contain the following:

- (a) Specific description of violation, including a copy of the relevant declaration, rule or bylaw;
- (b) Action required to correct the violation;
- (c) Specific time to correct the violation, which shall be no less than thirty (30) days;
- (d) Maximum penalty that may be imposed after a hearing if the violation does not end within the stated time;
- (e) Notice that the Board may choose to correct the violation itself and bill the violator; and,
- (f) Copy of these procedures.

§ 104. Correction of Violations by the Board.

Once the Property Manager has issued an NOV, the Board may choose correct the violation itself rather than wait on the violator. In such cases, the cost of correcting the violation will tentatively be charged against the violator. If the Board decides that the violator was not responsible for the violation, the charge will be removed. Otherwise, the violator will be charged with the cost of correcting the violation.

- (a) The Board may correct violations that are an immediate hazard to life, safety, or property immediately without notice to the violator.
- (b) The Board may correct all other violations at any time after the time indicated in the NOV to correct the violation.

§ 105. Requests for Hearing.

If the violator does not contest the NOV, the violator may pay the penalty or correct the violation. If the violator contests the NOV, he must reply to the Property Manager within thirty (30) days of the NOV to request a contested hearing. If a violator does not request a contested hearing, a default hearing will be scheduled.

§ 106. Hearing Notices.

The Property Manager shall issue a written hearing notice and account assessment to the violator that contains the following:

- (a) Hearing date, time, location;
- (b) Recommended fine, which may include cleanup, restoration, and repair costs incurred by the Board as a result of the violation;

- (c) Issues to be discussed; and
- (d) Copy of the NOV.

§ 107. Time for Hearing Notice.

The President of the Board shall schedule a hearing on the violation no less than sixty (60) days from the date of the NOV. The hearing notice shall provide at least thirty (30) days notice before the date of the hearing. The Board shall hold a hearing if the violator does not correct the violation or pay the fine paid before the scheduled hearing date.

§ 108. Contested Hearings.

The contested hearing is a fact-finding session by the Board.

- (a) The President of the Board shall decide, with the agreement of the violator and the Property Manager, the issues discussed and the procedure used during the hearing.
- (b) If there is no agreement, the Board shall decide the issues and procedure.

§ 109. Default Hearings.

The Board shall hold a default hearing if a violator does not reply to the NOV or appear for a contested hearing. The effect of a default hearing is identical to a contested case hearing.

§ 110. Final Decisions.

The Board is the final decision maker for CVHOA rule violations.

- (a) The Board shall issue a recommended decision with findings of fact and conclusions of the issues within thirty (30) days of a hearing. The Board may not issue a decision during a hearing.
- (b) The Board shall ratify its recommended decision by adopting a special resolution within sixty (60) days of the hearing. Once adopted as a special resolution, this resolution is the final decision of the Board.

§ 111. Appeals of the Board's Decision.

If the violator contests the recommended decision of the Board, the violator may file a written request for reconsideration within thirty (30) days of receiving the recommended decision.

- (a) In the violator's request, the violator must state with particularity the findings of fact and conclusions of the issues to which he objects.
- (b) The Board will reconsider the written objections and issue a decision on the request for reconsideration within sixty (60) days of the original hearing.

§ 112. Changes to Violation Enforcement Procedure Policy.

The Board may change this policy with reasonable notice.

§ 113. Contact & Filing Information.

Please send all questions about this policy or filings required under this policy to the Property Manager, Ms. Anna Claire Murnick, in writing; by electronic mail: annaclairemurnick@yorkproperties.com; first class mail: York Properties 1900 Cameron Street, Raleigh, NC 27605; or facsimile: 919.828.9240.