SIR JOHNS HILL HOMEOWNERS' ASSOCIATION, INC.

RULES & REGULATIONS HANDBOOK

September 2020



SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

TABLE OF CONTENTS

Preface.	1-1
Board of Directors	2-1
Management Company	3-1
Monthly Assessments .	4-1
Past-Due Monthly Assessments	5-1
Insurance	6-1
Clubhouse	7-1
Maintenance	8-1
Parking Policy	9-1
Swimming Pool	10-1
Pets	11-1
Garbage, Trash, and Recyclables	12-1
Lease of Unit	13-1
Sale of Unit	14-1
General Rules	15-1
Definitions	16-1
Fines	17-1
Map of Sir John's Hill	18-1

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook Revised: September 2020

Section 1.1- Preface

This handbook provides information about Sir John's Hill rules and regulations. Each homeowner should become thoroughly familiar with this handbook as well as the condominium Bylaws.

Adherence of Rules, Regulations, and Bylaws in this handbook, combined with the spirit of consideration and willingness to work together, will ensure the quality of life in our community. The goal of the homeowner's Association is a community where all residents are happy to live.

The Bylaws contain information regarding ownership, elections, general rules, etc. that are not in this handbook. For a copy of the Bylaws, contact the Management Company or visit the Sir John's Hill website https://sirjohnshill.wordpress.com Owners can contact the Board for login information.

Homeowners/residents are responsible and accountable for their actions as well as the actions of their guests.

Homeowners who lease their property are responsible and accountable for the actions of their tenants.

Any violations of rules and regulations are to be reported to the Management Company or a member of the Board of Directors.

Violations may result in a fine of up to \$100 per day per North Carolina Law.

See Section 17-1 on FINES

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 2.1 - Board of Directors

Director/President
Director/Vice President
Director/Treasurer
Director
Recording Secretary

The Board of Directors has responsibilities outlined in the Bylaws and duties for the day-to-day operation of Sir John's Hill. Also, the Board supervises committees and approves all projects in the condominium complex.

The duties of the Secretary and Recording Secretary are to record the minutes of Board meetings and to keep accurate files on general condominium activities.

Board Meetings:

- Board meetings are held monthly at a location designated by the Board of Directors
- Homeowners who want to meet with the Board may request to do so by contacting the management company or a Board Member.
- The request must be made at least 48 hours in advance of a meeting.
- Items usually can be added to the next meeting agenda, barring time restraint.
- The first 30 minutes of the Directors Meeting is reserved for executive session, and this time is closed to non-Board members

Sir John's Hill HOA Board of Director Mission Statement:

The mission of Sir John's Hill Board of Directors is to guide and direct the activities in the following ways:

- Maintain and increase property values.
- Enhance the quality of life for owners and residents living in Sir John's Hill community.
- Foster open communications between the Board of Directors, the community management firm, and property owners.
- Encourage the active participation of all property owners.
- Develop and work within an established budget

The Board of Directors are a group of volunteer property owners who give of their valuable time to serve Sir John's Hill Community

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 3.1- Property Management Company

The operations of the Board are assisted by the Property Management Company.

The Management Company is:



Falcon One Properties, LLC 6303 Carmel Road, Suite 103 Charlotte, NC 28226 704-447-0159

The Community Association Manager is Tammy Burney
Tammy can be reached by email at tammy@falcononeclt.com

The twenty-four-hour (24 Hours) emergency access number is 704-447-0159.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 4.1- Monthly Assessments

Each homeowner is assessed monthly for the operations of Sir John's Hill Condominium Association. This assessment covers expensed, including but not limited to, water and sewer, outdoor lighting, exterior pest control, grounds maintenance, building exteriors, roofing, clubhouse maintenance, swimming pool, general maintenance, and insurance.

The assessments are payable on the first of each month.

There are several ways to pay your assessments.

1. Check – Payment should be made to SIR JOHN'S HILL HOA and mailed to:

Sir John's Hill HOA C/O Falcon One Properties, LLC. 6303 Carmel Road, Suite 103 Charlotte, NC 28226

2. Online Portal

Falcon One Properties offers a quick and easy way to pay your dues online. Please ensure that you have provided a valid email to us, and we will send an Activation Link for your Homeowner Online Portal. If you have set up automatic payments with your bank, you will need to adjust your HOA payment to the correct amounts of general assessment + the special assessment each year.

Sq. Footage	General Assessment (Dues) 2019	Special Assessment 2019	Special Assessment 2020	Special Assessment 2021	Special Assessment 2022	Special Assessment 2023
1287	222.92	142.34	153.73	166.03	179.31	193.65
1540	256.5	163.78	176.89	191.04	206.32	222.83
2148	313.55	200.21	216.23	233.52	252.2	272.38

The monthly assessment is determined by the Board of Directors and can be changed based upon requirements associated with the upkeep and maintenance of the community property. Contact the Management Company (704-447-0159) for any information concerning monthly assessments.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 5.1- Past Due Monthly Assessments

The Board will place a lien on any unit that is 60 days past due on monthly Assessments. Included as part of the lien are attorney's fee and other costs.

Assessment Policy

- 1. The Management Company prepares a list of monthly delinquent assessments for review by the Board of Directors at the monthly BOD meeting.
- 2. Monthly assessments are due on the 1st of each month (Due Date). Any assessment not paid on or before the 30th of each month will incur a late fee of 10% and administrative fees incurred in the collection of the assessment.
- 3. Legal action on a delinquent assessment begins on the **61**st **day** (Article 10 (6) of the bylaws). If legal action is taken, filing fees, court costs, and attorney's fees will be charged to the homeowner.
- 4. Payments received will be applied to any legal fees first, then late fees, and any penalty fees; the balance will be applied to the outstanding assessment. Please note this is very costly to the property owner and should be avoided.

Procedure for taking Legal Act

If your dues and late fees are not paid within 45 days, you will receive a **15-Day Demand Letter**, legally informing that a lien will be placed on your property on the <u>61st day late</u>, and foreclosure proceeding will begin.

^{*}Any assessment not paid within 30 days after the due date will be subject to annual interest.

Section 6.1- Insurance

The Homeowners Association maintains a fire and casualty insurance policy, including Flood insurance, to cover building exteriors and common areas. Sir John's Hill Association pays the premium for this insurance coverage. Each homeowner is encouraged to have his/her personal property insured for the contents of the unit. Homeowners are required to carry dwelling insurance that covers the interior surfaces and structures of the unit. Homeowners are also required to have flood insurance covering the same.

The Homeowner's Association is responsible for exterior damage and maintenance. Interior damage is the responsibility of the homeowner.

Any exterior damage or maintenance issue is to be reported to the management company immediately. They will determine the process for repair.

Section 7.1- Clubhouse

The Clubhouse in its present condition is not currently available for use by Homeowners.

Section 8.1- Maintenance

Maintenance and repair work of the general common area and limited common areas are handled on a job-by-job basis under the Board's direction.

If the general common area of your unit needs repair, please contact the management company. The Board of Directors establishes priorities for repair work on projects above \$500.

If you call in for service, and the repair is determined not to be the Association's responsibility, you will be notified.

For emergencies such as a water main rupture or a fallen tree that occur after 5:00 PM or on weekends or holidays, call **(704)447-0159**. The management company will be paged immediately. If you do not receive a response from the Management Company, contact a member of the Board of Directors.

Always call 911 first in case of fire or an emergency of a critical nature

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 9.1- Parking Rules

- 1. Each Condo has two (2) designated parking spaces. Parking spaces have the Condo number. Residents are to park in these designated spaces only. Each Owner or Renter must register their vehicle to obtain a parking sticker and a visitor pass. Residents are required to display parking stickers on the drivers' side in the bottom corner of the windshield. Visitors passes are to be hung from the rear-view mirror
- 2. Residents with more than two (2) vehicles may request additional assigned parking spaces. Parking passes are available for \$100 per month and renewable each month; space is limited. Residents to whom this applies are encouraged to negotiate with residents who have unused space. Residents are not to park in Visitor spaces. Areas marked "Visitor" are for guests only. A visitor is a person who is visiting a resident for a few hours, but a period no longer than two weeks. Vehicles in violation will be towed at the owner's expense without further notice.
- 3. Sir John's Hill is a residential community whose residents drive passenger vehicles. One ton or larger trucks and or commercially licensed vehicles are not allowed on Sir John's Hill property unless making deliveries, making repairs, or other business activities requested by homeowners. Residents/Owners/Visitors are not allowed to park vehicles with visible signs for advertising, stencils, or verbiage anywhere on the property, including "For Sale" signs.
- 4. Boats, trailers, motor homes, campers, or any recreational vehicles are not allowed to be parked anywhere on the property.
- 5. Unlicensed vehicles, vehicles with expired license tags, wrecked cars, not operable road vehicles (either temporary or permanent) are prohibited in any area of the property. Vehicles in violation will be towed at the owner's expense without further notice.
- 6. Vehicle maintenance **is prohibited at all times** on the property. The only exception to this rule would be changing a flat tire or putting water directly into the vehicle. No vehicle is to be left on blocks, jacks, etc. If a homeowner, resident, or visitor performs repairs other than the exceptions mentioned above, they will be subject to fines plus the cost of damage that might result in the common area property. (Example: Oil spills on asphalt). The vehicle may be subject to towing at the owner's expense without further notice.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 9.1- Parking Rules-Continued

- 7. Vehicles belonging to homeowners, residents, or guests that cause damage or stains to the pavement are prohibited. The cost to repair the pavement will be the responsibility of the homeowner, and the unit owner may be fined.
- 8. Homeowner/resident vehicles are the only ones allowed to be washed on the property. Washing vehicles more than once a week is not permitted.
- 9. All fire lanes are designated with signs and are tow zones.
- 10. No vehicles such as moving vans or delivery trucks shall be parked, driven across, or driven onto the lawn or walkways. Any damage resulting from the violation of this policy shall be at the direct expense of the unit owner.
- 11. No vehicle is to block the car of any other resident or visitor. No double parking. No parking on grass or sidewalks.
- 12. No homeowner/resident can alter, modify, or make any attachment (either temporary or permanent) to any parking space.
- 14. Residents are responsible for informing their guests of the correct parking locations, and supplying Visitor Parking Pass. Report parking violations to the Management Company.
- 15. For the safety of all residents and visitors, no one should drive over **15 MPH**.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 10.1- Swimming Pool

The Board of Directors determines when the pool opens for the season. Generally, that will be from Memorial Day weekend to Labor Day weekend.

NO GLASS ITEMS IN THE POOL AREA AT ANY TIME

Broken glass can cause the pool to be shut down and drained per the Health Department resulting in closure for several days.

NO SMOKING OR TOBACCO RELATED PRODUCTS ON COMMON PROPERTY INCLUDING THE POOL AND POOL PARKING LOT

- 1. Earlier or temporary closings are dependent on weather conditions, water quality, necessary repairs, and availability of sufficient volunteers. Trespassing is not allowed.
- 2. No lifeguard on duty. Swim at your own risk. Anyone under 14 must be accompanied by an adult resident (over 18 years of age) of Sir John's Hill.
- 3. The pool is for homeowners and residents of Sir John's Hill only. The homeowner/resident must accompany all Visitors. A homeowner/resident may have a maximum of four (4) guests at any given time and is responsible for their conduct.
- 4. The pool is not available for private parties. A pool party for homeowners/ residents can be organized only by the Association and its committees.
- 5. Shower and use restrooms before entering the pool. Facilities are near the pool in the back of the Clubhouse. Wipe off excess suntan oil before swimming.
- 6. Animals, bicycles, skateboards, etc. are not allowed in the pool area.
- 7. Bring your drinks in **non-breakable plastic/metal contains**. Eat your food and snacks in the picnic area behind the pool. No one **under the age of 21** is allowed to consume alcoholic beverages.
- 8. No children in diapers are allowed in the pool.
- 9. No running, pushing, spitting or horseplay is allowed.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 10.1- Swimming Pool - Continued

- 10. Close the gate to the pool when entering and leaving.
- 11. Leave all pool equipment (lifeline, shepherds crook, life preserves, hose, etc.) undisturbed in its place except in an emergency. Safety equipment must be readily available in case of an emergency. Keep pool furniture and personal items 2 or 3 feet away from the pool edge.
- 12. Keep your radio next to you and keep its volume down. For safety reasons, bring only a battery-operated radio. Keep your voice at a low level.
- 13. Wear proper bathing attire in the pool. No cut-offs.
- 14. Leave deck area, pool furniture, restrooms, and outside food area in a clean condition. **Please** use trash cans.
- 15. Anyone abusing the facilities will be barred from further use. A fine may be imposed on the homeowner/resident responsible.
- 16. The preceding rules are primarily adapted to the pool regulations of the Health Department, who can close the pool if we are found in violation. The Health Department inspects the pool at unspecified times.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 11.1- Pets

According to the Bylaws, homeowners/residents are allowed two (2) animals per unit. Exceptions are animals confined to cages and aquariums inside the Condo. No snakes. No animal can be kept confined in the limited common area. Owners will be liable for any injuries, property damage, or disturbances inflicted or caused by their pets.

The leash law of the City of Charlotte is in force on the common grounds of Sir John's Hill. **NO PETS ARE TO BE WALKED ON COMMON GROUNDS WITHOUT A LEASH**. Pets cannot be left unattended in common areas.

Animals must be on a leash when being walked. Keep them away from landscaped (grass and shrubs) areas in front of the buildings, parking spaces, Clubhouse, and picnic area behind the swimming pool. **Clean up after your pet. Carry a pooper scooper or plastic bag.** All animals roaming free are subject to capture by Animal Control.

Do not feed or provide shelter to stray animals of any kind. Violators will be reported to the Charlotte Animal Control Bureau and Charlotte and the Animal Licensing Center. You will be responsible for licensing fees, rabies vaccinations, spaying and neutering, and other related costs.

Visiting pets are subject to the same regulations as resident pets.

Pets may not be kept or bred for commercial purposes. Livestock and other non-household pets are not permitted.

Pet houses or pens are not permitted in the limited common areas or the general common area.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 12.1- Trash/Recycling

Regularly scheduled roll-out container garbage, trash pickup is every **TUESDAY** for Winding Creek Lane and **WEDNESDAY** for Maple Glen Lane. Recycle pick up follows the city code orange schedule and is every other week. Holiday collection schedules will be announced in city publications and through the news media. Below I the City of Charlotte trash and recycle policy. If you have any additional questions, please call 311 for assistance. If you have bulky items (ex, Furniture) please call 311 to schedule the pickup. The link to the Mecklenburg County Recycling Calendar is: https://charlottenc.gov/SWS/Pages?Recycling-Follection-Schedule.aspx

- Each household is assigned a 96-gallon garbage roll-out cart. The roll-out chart includes disposing of regular household garbage; do not place recyclables and yard waste in these roll-out carts.
- Please place your cart at the top of your parking space and with the handle toward your property. To avoid property damage, please space collection items at least 3 feet apart. Also, please allow 3 feet between your roll-out cart, recycling bins, and automobiles.
- Please place your roll-out car at the curb no later than 6:30 AM on your scheduled collection day. Your cart must be removed from the curb by midnight on the day of collection. A minimum of \$50 Fine may be issued if you leave your cart at the curb past midnight on your collection day.

What to place in the roll-out cart?

- o Regular household garbage
- Old clothing
- Paper products
- o Dried paint cans without lids
- o Kitty litter and soiled infant diapers (doubled bagged)
- o Other miscellaneous items

Please **BAG** all items before placing them in carts; items placed **outside** carts will **NOT** be collected.

All garbage should be placed in plastic bags, before placing them in the roll-out cart. Cardboard and cardboard boxes can be recycled.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 12.1- Trash/Recycling - Continued

What NOT to place in the roll-out cart?

- Dead animals
- o Empty cardboard (please cut, do **NOT** fold, cut cardboard into 3x3 feet pieces)
- o Recyclable materials please place in the recycling bin
- O Yard waste North Carolina prohibits yard waste disposal at the landfill.
- Hot ashes
- Motor oil
- Solvents
- Wet paint
- o Pool chemicals
- o Flammable liquids
- Other hazardous materials not previously mentioned.

Household Hazard Waste

The City of Charlotte crews will only collect the following household hazardous waste materials:

- o **Dried** paint cans with lids removed
- o Kitty litter double-bagged in plastic and securely tied
- o Soiled infant diapers, rinsed and placed in double plastic bags and securely tied.

Building Materials

Building materials resulting from homeowner repair <u>MUST BE SCHEDULED</u> for bulky item collection, and it will be collected by the City of Charlotte crew. Call **311** (704-336-7600) or schedule online.

Bulky Waste

Bulky waste includes household furnishings, appliances, lawn equipment, and other similar items too large for the garbage roll-out cart and not eligible for recycling.

Call 311 (704-336-7600) or schedule online. Solid Waste Services will not collect any unscheduled items. Unscheduled items left at the curb can result in a fine of up to \$50.

Section 13.1- Leasing

- 1. A unit for lease requires occupancy by a single family (lessee). Any unit owner intending to make a bona fide sale or lease of his unit shall first give written notice to the Board of Directors of such intention; such information will include the name and address of the intended purchaser or lessee. No such proposal shall be deemed bona fide unless there is a written contract of sale or lease executed by all parties to it. All leases of Units shall be written on standard forms furnished by the HOA, which may not be modified without the written consent of the HOA. (Article XIII, (1) of the By-laws).
- 2. A unit listed for lease is subject to the Declaration, Bylaws, and the current Rules and Regulations (the Current Handbook) of the Association. The listing homeowner and or its appointed agent must provide a copy and familiarize a prospective lessee with the terms of the present Rules and Regulations. All leases must be written on the standard Sir John's Hill form. (Article XII, (1) of the By-Laws).
- 3. The lease of a unit to individuals not of the same family requires the notification of the Board of Directors **before signing an agreement.** (Article XIII, (1) of the By-Laws)
- 4. The owner of a leased condominium unit must file a copy of the lease with the Management of the Association and provide a signed statement verifying the delivery of the Rules and Regulations to the tenant.
- 4. No rooms may be rented except part of the entire unit, and no transient tenants may be accommodated. (Article XIII, (10) of the By-Laws)
- 5. Effective 7/1/11, all owners are must submit a background check of all potential tenants with a copy of the lease to the HOA **before** renting the unit.
- 6. Violations may result in a fine of up to \$100 per day per North Carolina Law. See Section 17-1 on fines.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 14.1- Sale of Unit

- 1. Any unit owner intending to make a bona fide sale or lease of his unit shall first give written notice to the Board of Directors of such intention, which will include the name and address of the intended purchaser or lessee. No such proposal shall be deemed bona fide unless there is a written contract of sale or lease executed by all parties to it. All leases of Units shall be written on standard forms furnished by the HOA, which may not be modified without the written consent of the HOA. (Article XII, (1) of the By-Laws)
- 2. One standard SJH sign is the only authorized window sign. Signs are available for a nominal fee at Winning Awards in Waxhaw (704) 256-3446 or info@winningawards.net. Contact the management company or a member of the Board for further information regarding approved community signage. (Article XIII, (3) of the By-Laws).
- 3. Before closing, the seller must make available to the buyer the Declarations, Bylaws with amendments, and the current Rules and Regulations.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 15.1- General Rules

- Per the By-Laws, exterior alternations, corrections, or repairs on the building, including limited common areas, are made only with the Board's approval.
- Fireplace wood must be stacked above the ground at least 18 inches away from the buildings to prevent termite damage. Do <u>NOT</u> stack firewood in your entranceway. If you cover it, use a dark-colored tarp.
- Nothing is to be hung on the balconies, such as clothes, laundry, towels, shades, hoses, lights, etc.
- No fireworks are allowed at any time on the property.
- Homeowners/residents must keep the area in the front (entranceway & parking spaces) and the back (concrete slab) of their units clean and free of litter, discards, and garbage.
- Window treatments and other changes that may affect the outside appearance of the
 condominiums are not allowed. Window treatment must be white or cream facing street
 view. Decorative flags are <u>not</u> allowed anywhere on the property except in the enclosed
 patio area. The "American Flag" is the only acceptable flag to be attached to the outside
 of the building.
- It is the responsibility of the owners to keep the Association, and Falcon One Properties LLC informed of their current address, telephone number, and email. Sir John's Hill Homeowner Associations and Falcon One's obligation to contact owners ends with the attempt to contact the owner at their last known address and telephone number.
- The Management Company and or contractors must have access to the limited common areas, including the enclosed patio. Except in an emergency, residents will be informed in advance when access will be required.
- No firearms are to be discharged on the property.
- No homeowner/resident is permitted to water any grassy areas at any time.
- Personal belongings such as yard tools and children's toys should not be left in any common area, including parking areas, when not in use.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 15.1- General Rules - Continued

- Small satellite dishes may be permitted, but the Board of Directors must approve the location. No satellite may be attached to the building or roof. No receiving or transmitting device of any kind is allowed to be attached to the building or common areas.
- Individual homeowner/resident yard sales on the property are prohibited. Community yard sales are subject to Board approval.
- No homeowner or resident is allowed to paint or, in any other manner, improve or deface the common area. The maintenance of general and limited common areas, parking, and landscaped areas, is the obligation, duty, and responsibility of the homeowner's Association.
- No attachments, awnings, or enclosures of any type are allowed in the common areas
 without prior board approval. Any unapproved alterations or additions to the
 common area may result in fines and removal by the Association at the expense of
 the owner.
- Bedding plants are allowed in front of the units and walkways; however, vegetables are not.
- Smoking and all tobacco-related products are restricted to resident's limited common property and not allowed on the general common property, including the pool and parking lots.
- Under the City ordinance on outdoor grills in multifamily complexes: "no gas or charcoal grills are allowed to be operated within 10 feet of any flammable building surface. Electric grills are allowed."

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Section 16.1- Definitions

Association: Sir John's Hill Homeowners Association.

Board: Sir John's Hill Homeowners Association Board of Directors.

<u>Common Area:</u> All of the Condominium Property after excluding units. Common Area includes both the "General" and "Limited" Common Areas and facilities.

<u>General Common Area:</u> Consists of the entire Condominium Property and every part thereof, other than the units and the Limited Common Areas.

<u>Limited Common Area:</u> Consists of those areas reserved for the specific use of unit owners to the exclusion of others. Examples are enclosed patios and storage areas, front and back porches, balconies, and assigned parking spaces.

Condominium Documents: Sir John's Hill Declaration, By-Laws, and Rules and Regulations.

<u>Unit</u>: One of the seventy-eight residential units in the buildings.

Note: For more comprehensive definitions, refer to the Declaration and By-Laws

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 17.1- Fines

Under the By-Laws and Covenants of Sir John's Hill Home Owners Association and by the Laws of the State of North Carolina, the Board of Directors may develop, publish, and enforce Rules and Regulations. It is the stated mission of the Board of Directors to take whatever actions are necessary to enhance the quality of life in our community and to increase the values of the entire Sir John's Hill Condominium Community.

It is the responsibility of the Board of Directors to enforce the By-Laws and Rules and Regulations of the Association. The only enforcement method available to the Board of Directors is to levy fines for violations and final resort to taking legal action against the unit owner.

The following guidelines for levying fines will be as follows:

- Except for parking offenses, anyone in violation of the Rules and Regulations will receive a letter allowing them to correct the problem.
- If the violation is not corrected within 72 hours, a hearing notice will be sent to the unit owner. The owner will be required to either attend the hearing or fix the problem. The hearing will take place at the date and time on the notice whether or not the owner appears. You will then receive a hearing determination letter outlining the outcome of the hearing. There may be fines imposed at this point. Also, any expense incurred by the Association in remedying the problem will be billed to the unit owner.
- The first fine will be \$50. Each occurrence of the same violation going forward will not warrant a hearing but a fine of \$100 per event. According to North Carolina State law, fines may be levied as high as \$100 per day per occurrence.
- Fines must be paid within 30 days of their being issued (postmark of the letter). Failure to do so will cause the addition of late fees.

*Tenants will not be notified or fined. Owners of leased units are notified of violations by their tenants and ultimately are responsible for the actions of their tenants. Owners, not tenants, are responsible for the actions of their tenants. Owners, not tenants, are responsible for payment of the fine. Fines are paid first before dues.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook

Section 17.1- Fines (Parking Violations -Continue

- 1. Vehicles that are found to violate rules and regulations will first be warned with a sticker notification or letter to remedy the violation.
- 2. The owner of the vehicle will have 72 hours to remedy the violation, after which time the vehicle may be towed at the owner's expense.
- 3. Repeat offenders are subject to immediate towing without any further notice.
- 4. At the discretion of the Board of Directors, owners may be sent a Hearing Notice. It is important to remember that fines may be levied in addition to vehicle towing.
- 5. Fines are a minimum of \$25 per day and up to \$100 per day at the discretion of the Board.

SIR JOHNS HILL HOMEOWNERS ASSOCIATION, INC

Rules & Regulations Handbook