

Association of Unit Owners of Glenwood Place, Inc.
RESOLUTION OF THE BOARD OF DIRECTORS
Regarding Enforcement and Fines

At a properly noticed meeting of the Board of Directors, held on March 10, 2023, the Board unanimously made the following findings:

WHEREAS the Association Secretary, by signing below, attests that pursuant to the Association Bylaws, all Directors were provided notice of the meeting, and a quorum of the Board was present in person at the meeting;

WHEREAS the Board of Directors is charged with enforcement of the provisions of the Articles of Incorporation, Declaration, Bylaws, and Rules and Regulations (“Governing Documents”) of the Association;

WHEREAS the Board is authorized to take enforcement action for violations of the Governing Documents, including the actions described in Bylaws Article VIII;

WHEREAS the Board believes it is in the best interest of the Association to adopt uniform policies and procedures for Rules Enforcement and a uniform Fine Schedule; and.

WHEREAS the Board of Directors has all of the powers and duties necessary for the proper functioning of the Association pursuant to ORS 100.405 and the Bylaws;

NOW THEREFORE, BE IT RESOLVED those violations of the Association’s Governing Documents, including its Rules and Regulations shall be handled as follows:

1. **Observations Made by the Association:** When the Association directly observes a violation the enforcement process will begin as directed below.
2. **Direct Resolution Preferred:** Owners disturbed by a neighbor’s actions or believing that a neighbor violated the Governing Documents or a Rule or Regulation, are encouraged to express their concern with the neighbor prior to reporting to the Association. Most disturbances are believed to be unintentional, and immediate resolution by responsible neighbors is desirable.
3. **Written Complaint:** If a resolution to the situation is not achieved through the initial direct discussion between the involved parties, or is recurrent, the Complainant may submit a signed, written AVR form to the Association. This AVR shall document the disturbance or violation created by which neighbor, on what date, time and place. The AVR must describe the activity in enough detail that an objective person could comprehend the concern and should include photos if available. The AVR form shall be deposited in the AVR box located by the mailboxes. Oral complaints and/or anonymous reports will not be addressed.

The written complaint must be sent to the Board of Directors for appropriate action pursuant to this Resolution. Oral reports will not be accepted.

4. **Friendly Reminder:** Upon notification of a first violation, the Owner will receive a “Friendly Reminder” with a request to correct the violation if appropriate. This reminder will notify the Owner of the infraction and request correction to avoid assessment of fines or other enforcement activity. The Owner will have 10 calendar days from the date of the letter to comply. In a situation where there is an immediate threat to health, safety or the environment, the Board may elect to rectify the situation immediately, without notice, and charge the Owner(s) for any and all costs incurred. The Board of Directors at its discretion shall determine whether an immediate threat exists.

In situations where irreparable harm may occur from delay, no Friendly Reminder will be issued. The first notice will be the Notice to Correct described below, or the Board may take other enforcement action to correct the violation.

5. **Notice to Correct:** Should the violation not be remedied within 10 calendar days of date of the Friendly Reminder, the Owner will be notified in writing of the continued violation and requested to remedy the violation within 10 calendar days via a “Notice to Correct.” The Notice to Correct shall describe the nature of the violation; the proposed fine or other sanction to be imposed; the right to request a hearing within 10 calendar days of the date of the Notice; and that the proposed fine or other sanction will be imposed unless a request for hearing is received within 10 days of the date of the letter. If the Board receives a request for a hearing within the time limit, a date and location will be established, the Owner will be notified and any fines or other sanctions for the violation will be held in abeyance until after the hearing.
6. **Fine Notices:** Should the same violation not be remedied within 10 calendar days of the date of the Notice to Correct and no request for a hearing received, a third letter will be sent (“Fine Notice”), and a fine of (see Schedule of Fines) will be assessed to the Owner’s account.
7. **Continuing Violation:** Should the continued violation remain for another period of 10 calendar days, an additional fine of \$200.00 (two-hundred dollars) will be assessed to the Owner’s account. Additional fines of \$300.00 (three-hundred dollars) will continue to be assessed every 10 calendar days thereafter until the violation is corrected. At this time, if payment of the fines is not made, a lien shall be placed on the property. Additionally, all related attorney and filing fees incurred for enforcement will be charged to the owner’s account.

The Owner does not have the right to a hearing for each additional fine that is assessed for continuing violations.

8. **Legal Action:** The Board of Directors reserves the right at any time to elect to hire legal counsel to pursue compliance with the Governing Documents. The Owner in violation is responsible for all fees and costs incurred by the Association regarding enforcement.
9. **Repeat Violations:** Violations are progressive. For the second violation of a similar type by the same Owner, tenant, guest, contractor, vendor, etc., whether single or multiple locations and/or times, within a 12-month period, shall be issued a Notice to Correct and no Friendly Reminder will be issued. The Owner will have the right to request a hearing within 10 days of the Notice. For third and subsequent violations of a similar type by the same Owner, tenant, guest, contractor, vendor, etc., whether single or multiple locations and/or times, within a 12-month period, a Fine Notice will be issued; no Friendly Reminder or Notice to Correct will be issued, and no additional hearing will be

held. The fines for Repeat Violations shall be increased by \$100 above the amounts stated in this resolution. Determination of what constitutes a Repeat Violation is within the sole discretion of the Board.

10. **Association Correcting Violation:** The Association at any time may correct the violation if it is within the Association's power but is not obligated to do so. If the Association corrects the violation, the Owner is responsible for reimbursing all the costs to the Association and a flat \$100 administrative charge for correcting the matter plus any attorney fees that were incurred. This administrative fee may be changed from time to time by the Board as an amendment to this Resolution.
11. **Owner Responsible for Violations of Other Occupants:** The Owner is responsible for all violations by his/her/their family members, guests, pets, tenants, vendors, licensees, and invitees. All notices and fines arising out of this resolution will be assessed to the Owner.
12. **Hearing Request:** Upon receipt of a request for a hearing, the Board of Directors or managing agent will notify the Owner in writing of the date, time, and location of the hearing. The hearing will be scheduled within 30 calendar days of the notice, if possible, schedules permitting. The hearing is to provide the owner an opportunity to be heard by the Board of Directors during an open meeting. At the time of the hearing, the Owner is to submit all supporting written documentation, facts, and evidence for the Board's consideration. Following the hearing, the Board will adjourn to executive session to discuss the matter and will provide a written decision to the Owner within 20 calendar days of the hearing.
13. **No Waiver:** Nothing in this Resolution shall be construed as a waiver of any other enforcement rights available to the Association pursuant to the Governing Documents or at law, including recording of liens against the property for any unpaid fine, charge or assessment.
14. **Mediation:** The Board of Directors, in its discretion, may require Owners involved in disputes to participate in mediation. If the Board directs the Owners to participate in mediation, any mediation agreement shall be reported to the Board and shall constitute a final resolution of the dispute as long as the agreement does not contradict the Association's Governing Documents. If no agreement is reached in mediation, the Owners must notify the Board and request a hearing to resolve the dispute. Any costs associated with the mediation shall be borne equally by the Owners unless a different agreement is reached as part of the mediation.
15. **Fines and Charges are Considered Assessments:** All unpaid fines, charges, and attorney fees incurred in enforcement action are collectible in the same manner as unpaid assessments are collected. All such fines, charges and attorney fees are subject to late fees and interest in the same manner as unpaid assessments.

The Board shall send a copy of this resolution to every owner of record.

Dated this 10 day of March, 2023.

Association of Unit Owners of Glenwood Place,
Inc.

By: Judith Evans
Its Chair

ATTEST: the above resolution was properly adopted.

By: [Signature]
Its Secretary

EXHIBIT A
Schedule of Fines

Glenwood Place Homeowners Association

All fines are per event/occurrences. In the event a violation is continuing in nature, the fine will renew either daily, weekly, or monthly until the violation is remedied or ceased.

Alterations and Additions	Fine in \$	Renews
1. Construction, alteration or modification of any building (including painting on the exterior), fence or other structure without prior Architectural Committee approval.	\$250	Monthly
2. Use of garage or trailers for living quarters, business, or for keeping an animal.	\$250	Monthly
Animals		
3. Keeping any animals or fowl other than a maximum of two (2) household pets and other animal violations under the Declaration.	\$100	Monthly
Signs		
4. No signs may be erected or displayed. Real Estate signs may only be displayed in the front lawn of the building that is listed for sale.	\$50	Weekly
Use of Property		
5. Failing to keep lobbies, patios or decks, ramps, vestibules, stairways and other condominium areas free of waste, trash, packages and excess storage items.	\$100	Monthly
6. Nuisance and aesthetic burdens to the community such as, and not limited to excessive noise, excessive dog barking, off-leash or roaming pets.	\$100	Event
7. Failing to keep registered car parked in assigned garage	\$100	Monthly
Landscaping		
8. Damage to or removal of trees, shrubbery or landscaping Materials	\$250	Event

Occupancy of Residential Units	Fines in \$	Renews
9. Occupation of a residential unit by a person who is not a Proprietary or Associate Member of the Association, except for temporary and social visitation as allowed in the Declaration, without first obtaining approval.	\$100	Weekly
10. Providing shelter for people that have active arrest warrants.	\$250	Weekly
Other		
11. Other violations of any Governing Documents of the Association not set forth above.	\$100	As Applicable

Date

Resident
Address
Address

Dear Resident,

Subject: Notice of Violation and Demand for Correction

The Board of Directors has received a report of the following violation(s):

Description of violation	Date of report	Rule violated	Potential fine
Noise complaint	00/00/0000	Bylaws: Art. IX, Sec.5(b)	\$100
Failure to park assigned vehicle in garage	00/00/0000	Bylaws: Art. 1X, Sec. 1(f)	\$100

You have 10 days from the date of this correspondence to provide a written response describing the correction you have made to the above violation(s). If you fail to do so, or the violation is repeated, you will be subjected to fines in accordance with the Association's Schedule of Fines.

You have the right to request a hearing with the Board of Directors before any fines are imposed. If you would like to request a hearing you must submit the request in writing to: _____ . The request must be submitted within 10 days of your receipt of this notice.

Respectively,