

Homeowners Association Issued Fines

On occasion there are homeowners or their renters that don't follow the HOA Rules that have been established for Orchard Villa. Continuous repeat offenders adversely affect the other residents that have chosen to invest in the Orchard Villa community. Therefore, Rules violation warnings and fines have been established to correct these violations.

The OV governing documents state that the Board can establish and levy fines, and attach a lien against a "lot" if failure to pay. Owners must be warned in writing before a fine is assessed. If the violation is not corrected in a designated period of time or if the offense is repeated, the offending Homeowner will be fined. Fines are used to prevent future violations or to punish violations of the Rules. Occupants, guests and invitees shall be jointly liable with owner for fines and need for following the Rules. The fines can be levied against a "lot" and its owner and billed on the monthly or quarterly Assessments; thereafter, the Board may initiate a legal action to recover unpaid assessments and fines.

We must have ways to find out what and by whom rules are not being followed. A system that allows anonymous reporting, with documentation if possible, is necessary; otherwise, we will miss offenses. Rules violations can be reported verbally, telephone call, email or mailed letter to any Board member or the Property manager. Documentation with photographs is highly preferred.

Unlawful activities are always reported to the authorities.

Response to observed or reported violations

After a complaint has been filed with the OV Property Manager or Board member, the manager may issue a [Notice of Rules Violation](#) to advise the offender of the violation. This will be delivered by email, USPS and a copy

taped to the garage door of the Homeowners unit. The warranting violation must be corrected within seven days of the dated complaint. The Property Manager or a Board member will try to discuss the violation with the offender and warn of potential fines if recurrent. The Board retains the option to wave fines in cases where strict application of the related Rule would have been unreasonable in the specific circumstances involved.

The fines administered for various violations include:

Parking violations - \$25/violation/night plus any related towing fees.

Failure to register item in RV Lot - \$25/month until registered, along with any ownership tracing fee and towing/disposal fees.

Pet violations (failure to clean up wastes, nuisance to others) - \$25/violation plus any impounding fees.

Landscaping violations - \$25/violation plus any reclaim costs.

Pool and common area violations - \$25/violation plus any damage repair costs.

Illegal structure violations - \$25/violation plus any reclaim costs.

Late assessments payments – the policy describing the management of late payment of assessments, including late fee and interest, is defined in the Covenants, Conditions, and Restrictions (CC&Rs) and not otherwise changed in these Rules.