

# CROFTON HILLS HOMEOWNERS' ASSOCIATION

## Architectural Control [w/ Violation Fines]

### **I. Authority**

Architectural control in the neighborhood is governed by the Declaration of Covenants, Conditions and Restrictions ("Covenants") and may be regulated consistent with Covenants and the Homeowners' Association Act, Chapter 64.38 Revised Code of Washington. Article VI, Section 1.1 of the Crofton Hills' CC&Rs states: "All buildings and structures to be constructed within the community and all exterior alterations and repairs of any buildings or structures on the project and visible from any public street, common area or other lot must be approved in writing by the Board, or by an Architectural Control Committee (ACC). Further, Article VI, Section 1.4 provides, in part, that all plans and specifications for approval by the ACC must be submitted in duplicate, at least (30) days prior to the proposed construction or exterior alteration or repair starting date. The Covenants are intended to enhance and protect the value, desirability, and attractiveness of the neighborhood. An Owner is in violation of these rules and regulations and the Association's Covenants by commencing construction, exterior alterations, or repairs without obtaining written approval from the Architectural Control Committee 30 days prior to the commencement of work.

### **II. Infractions**

**A.** Once a homeowner has committed a violation by failing to obtain written approval from the Architectural Control Committee 30 days prior to the commencement of work, the Association may impose fines according to Section IV and/or require the homeowner to restore his/her lot to its condition prior to the commencement of any unapproved work.

**B.** At the Board's discretion, legal action may be taken against the violating homeowner at any point once a violation has been confirmed. Additional fines may continue to be assessed while the legal action is in process if the homeowner continues to violate the declaration. All legal expenses associated with the enforcement of this declaration may be assigned to the violating homeowner.

**C.** The opportunity to appeal the Board's decision is available under Rules & Regulation on "Appeal Process".

### **III. Fines**

**A. Nonrecurring** – A fine in the amount of \$100 may be incurred by any homeowner who fails to obtain written approval from the Architectural Control Committee 30 days prior to commencing work.

**B. Daily Fine** – Following notice of the infraction and the initial \$100 fine, the homeowner will have thirty (30) days to remedy the infraction as directed by the Architectural Control Committee. Beginning on the thirty-first (31) day following the notice, fines may be incurred by the homeowner in the amount of \$50 per day. This daily fine may continue until 1) the Architectural Control Committee receives a signed document by the homeowner stating the homeowner's intent to correct the violation, **or** 2) the work is completed.

**C. Collection of Fines** - The Association will bill the violating Homeowner the applicable fines at such time and for such periods as the Association considers reasonable. All fines imposed by the Association upon an owner which remain unpaid for 60 days shall automatically constitute a lien on the lot and all its improvements, and may be handled and foreclosed upon in the same fashion as if it were a lien for unpaid assessments under the Association's governing documents and the laws of the State of Washington. The Association may file a formal lien with the county in order to further protect its interests regarding the unpaid fine(s). Such a claim of lien may be filed at any time at least fifteen (15) days following delivery of a written notice to the violating homeowner of the existence of the default for failure to pay fines and demand for immediate payment. The amount of the lien shall include interest, and all costs and expenses, including attorney fees, incurred by the Association in the imposition and collection of such unpaid fine(s).

#### **IV. MISCELLANEOUS**

1. Effective Date. This regulation shall become effective 60 days after being adopted and enacted by the Board.

2. Enforceability. If any portion of this regulation is determined to be legally unenforceable, it shall not negate the enforceability of the remaining portions of the regulation.

**ADOPTED AND ENACTED BY THE BOARD – January 30, 2009.**