

Franklin Park West (FPW) Homeowners Community
Policy and Procedure for Enforcement of Covenants and Rules and Regulations

Violation of any of the Rules and Regulations may result in a special assessment (a fine) being imposed on the unit owner who either committed the offense or leased the unit to the offending person. The HOA property manager has the authority to impose a fine up to \$200 for an incident. The HOA Board of Directors may increase a fine up to \$500 on each incident. Unpaid fines incur interest at eight (8%) per annum.

Procedure for enforcement of Covenants and Rules and Regulations

1. Complaints can be made by Management, the Caretaker or by unit owners. Renters should notify their landlord.
2. Complaints need to be made in writing. Complaint forms can be found on the Management website.
3. Completed complaint forms should be emailed or mailed to the HOA manager and may be accompanied by a phone call.
4. The HOA manager will investigate the complaint in a timely fashion. If it is found valid, the manager will identify the owner who is to be held responsible for the violation. The investigation is held informally and the person responsible may receive a call or a visit from management. The person(s) named in the complaint will be given an opportunity to be heard and to put their response in writing.
5. All written complaints and written responses should be made available to the HOA Board of Directors at or before the next HOA Board of Director's meeting.
6. If management determines that a violation threatens public safety, wellbeing of residents or the community, or health, the owner will be notified by email and certified mail, return receipt requested, and by a copy of the notice of violation posted on the door of the unit, informing the owner/occupant(s) that they have seventy-two hours to cure the violation, or the HOA may fine the owner.
7. If management determines that the violation has not been cured within 72 hours after receiving the notice, FPW HOA may impose fines on the owner (see fine schedule).
8. If management determines the violation is not related to public safety or health, the management will notify the owner by sending notice by certified mail, return receipt requested, and a copy of the notice of violation will be posted on the door at the unit, informing owner/occupant that they have thirty days to cure the violation, or FPW HOA may fine the owner.
9. Owners who are fined, will be given a written notice of the fine for a violation. The notice must include the name of violator, the violation, the date of complaint, the date of official warning, the date that the fine was issued, and the date on which the fine is to be paid and when the fine is considered past due and delinquent. It must include information regarding any interest that may be incurred by a late payment and fees for any "returned check" that can be incurred.

Schedule of fines

- For a violation that threatens the public safety, wellbeing, or health, FPW HOA will assess a fine of \$100. Additional fines of \$25 may be assessed every 72 hours, until the violation is cured. On going violations may require civic intervention.
- Uncured violations. which threaten public safety, wellbeing, or health, may be ticketed as a new violation with new fines and 72 hours to cure.

For a violation that does not threaten public safety, wellbeing, or health, the owner may be fined \$50. Additional fines of \$25 may be assessed every 30 days, until the violation is cured.

- The total amount of fines assessed for each violation that does not threaten public safety, wellbeing, and health may not exceed a total of five hundred dollars (\$500). Fines may accrue interest at eight (8%) per annum and a \$10 late fee if it is not paid within 20 days.
- Recurring violations may result in increased fines up to \$500.
- Fines are considered past due if they are not paid within 20 days of the due date.

The HOA Board of Directors may deviate from this procedure, if it is deemed such deviation is reasonable under the circumstances.

This policy and procedure may be amended from time to time by the HOA Board of Directors.

The provisions of this Policy shall be in addition to and in supplement of the terms and provision of the Declaration and Colorado Revised Statute, 38-33.3-209.5 Colorado Common Interest Ownership Act.

Approved and adopted by the FPW HOA Board of Directors

President Molly R. [Signature] date 2/29/2024
Vice President [Signature] date 2.29.24
Secretary [Signature] date 2/29/2024
Member at Large [Signature] date 2/29/2024