



## Snowden Overlook Community Association

March 15, 2013

Dear Snowden Overlook Owners and Residents:

At its February 25, 2013 meeting, the board of directors of the Snowden Overlook Community Association adopted the enclosed policy and procedure to guide the association's response to violations of its governing documents.

The document specifies the types and degree of fines and other penalties that may be assessed for infractions. Penalties may include suspension of the right to use the clubhouse, pool, and other amenities provided by SOCA.

Sincerely,  
The Snowden Overlook Community Association Board of Directors  
and  
WPM Real Estate Management  
Scott K. Colville, CMCA  
Community Association Manager



**POLICY RESOLUTION NO.: 22513**

**SNOWDEN OVERLOOK COMMUNITY ASSOCIATION, INC.**

(Relating to Association Due Process Procedures and Schedule of Fines)

WHEREAS, the Owners, tenants, and their respective family members, guests, employees, invitees, and licensees occupying units in Snowden Overlook Community Association (SOCA) or using the common facilities are subject to and must comply with the provisions of the Declaration of Covenants Conditions and Restrictions (Declaration), the SOCA By-Laws and the rules and regulations promulgated pursuant thereto (collectively the “governing documents”); and

WHEREAS, Sections 5.2.2 and 5.2.16 of the Declaration and Section 5.18 of the By-Laws empower the SOCA Board of Directors to adopt and publish rules and regulations governing the use of Community Common Areas and the personal conduct of owners, tenants and guests, etc., thereon; and

WHEREAS, Sections 5.2.2 and 5.2.16 of the Declaration and Section 5.18 of the Bylaws authorize the Board to establish fines and penalties for infractions of the governing documents; and

WHEREAS, Section 5.2.16 of the Declaration authorizes the Board to suspend an owner’s right to use the Community Common Area facilities for infractions of the governing documents; and

WHEREAS, it is the intent of the SOCA Board to do the following:

1. Achieve compliance with the provisions of the governing documents;
2. Promote unity and harmony within the community;
3. Maintain the appearance and amenity of the community; and
4. Maintain cohesive community relationships in a manner that is fair and equitable for all residents and property owners, and

WHEREAS, the Board of Directors has determined that it is in the best interest of the SOCA and its members for the Board to clarify and refine its enforcement procedures and the rights of the members to due process in connection with those procedures;

NOW, THEREFORE, BE IT RESOLVED that the following procedures are established to address alleged violations of the governing documents of SOCA:

**A NOTIFICATION**

1. A suspected violation, nuisance complaint or safety issue may be identified by the SOCA’s management staff, an individual Snowden Overlook condominium (through its Board),

an individual SOCA Director, or may be brought to the Board's attention by any resident of the community. All complaints must be submitted to the Board in writing.

2. Upon receipt of a written complaint, the SOCA property manager or appropriate committee shall examine the complaint and shall make an initial determination as to whether enough evidence exists to support a potential violation.
3. If it is determined that a potential violation may exist, the property owner shall be notified in writing by first class mail and email (if available and at the option of the Board). If the alleged violation pertains to a tenant of a rental property, a copy of the notification should be sent to the rental property address as well as the owner's address.
4. The notification shall cite the governing documents that may have been violated, a description of the violations, and, if applicable, a date by which the violation(s) must be corrected to avoid any further action/penalty. The notification may also provide the owner with the date for a hearing (which is mailed at least 16 days prior to the hearing date) that has been scheduled by the Board to review the alleged violations.

#### **B. RIGHT TO A HEARING**

If the initial notice did not specify a hearing date, before the Board may impose a penalty or suspend privileges, a hearing notice letter will be sent by First Class mail (and email at the option of the Board) at least 16 days in advance of the hearing date. The notice shall specify the nature of the violation and general penalties that could be imposed. If an owner appears for their scheduled hearing, they shall have a reasonable opportunity to present evidence and/or testimony in support of their position. The hearing will held in an open meeting although the Board may deliberate and reach a decision as to the violations and penalties (if any) in closed session.

#### **C. PENALTIES AND SUSPENSION OF PRIVILEGES**

1. If the Board decides a violation exists or occurred, the Board may suspend the owner's rights to use the Community Common Area facilities and/or levy a fine against the owner in an amount specified in Section D below. If a fine is imposed and/or privileges are suspended, such information shall be included in the Board's decision letter that is sent to the owner by First Class mail (and email at the option of the Board). Any fine or suspension of privileges shall extend to an owner's tenants, guests, etc., but shall not go into effect earlier than 5 days from the date of the hearing.
2. The Board reserves the right to allow an owner additional time to cure a violation of the rules and regulations when appropriate.
3. Assessed fines are in addition to any legal fees or other expenses that may be incurred by SOCA in connection with violations, including amounts incurred for replacement and/or repair of common areas or facilities damaged by a property owner, renter or guest.

4. The Board reserves the right to collect fines in accordance with the governing documents and the collections policy resolution.

5. The procedures outlined in this Resolution may be applied to all violations of the governing documents, but these procedures do not preclude SOCA from exercising other enforcement procedures and remedies authorized by the governing documents including, but not limited to, the initiation of a lawsuit or self-help remedies. The Board of Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice or to its manager or managing agent.

#### **D. FINE SCHEDULE**

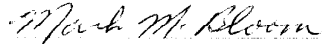
<b>Description of Violation</b>	<b>Fine Amount</b>
Violation of Clubhouse Rules	\$50 for first offense \$100 per recurring offense
Violation of Pool Rules	\$50 for first offense \$100 per recurring offense
Leaving the Pool or Clubhouse unclean after use	\$50/hour for cleaning, minimum 1 hour
Clubhouse/pool after hours violation	\$50 for first offense \$100 per recurring offense
Damaging or misappropriating community property	\$50 for first offense \$100 per recurring offense
Failure to clean up after pet mess	\$50 for first offense \$100 per recurring offense
Improper parking	\$50 for first offense \$100 per recurring offense
Parking in accessible spaces without permit	\$150 per offense
Any "Use Restriction" cited in Article IX of the Declaration	\$50 for first offense \$100 per recurring offense
Posted traffic infractions	\$50 for first offense \$100 per recurring offense
Architectural violation	Referred to Long Reach for enforcement

AND BE IT FURTHER RESOLVED that this resolution will become effective on March 1, 2013 and a copy of this resolution shall be sent to all property owners at their last known address.

Adopted by the SOCA Board of Directors this 25<sup>th</sup> day of February, 2013.



Board Chair Louis P. True Jr.



Board Secretary MARK M. BLOOM