



**VALLI VUE ESTATES PROPERTY OWNERS' ASSOCIATION
ADMINISTRATIVE RESOLUTION 3
ENFORCEMENT POLICY**

WHEREAS Alaska Statutes Section 34.08.320(a)(11) provides that Associations may, “after notice and an opportunity to be heard, levy a reasonable fine for violation of the Declarations, Bylaws, rules, and regulations of the associations”, and

WHEREAS Article VII, Section 1, of the Association Bylaws grants the power to exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership, and

WHEREAS, for the benefit and protection of the Association and of the individual member, the Board deems it desirable to establish and operate by a procedure to ensure due process in cases where there is a question of compliance by a member, his family, guest, invitee, or tenant with the provisions of the Bylaws and Covenants of the Association, thereby attempting to minimize the necessity of seeking action in or through a court of law; and

WHEREAS it is the intent of the Board to establish procedures for the Board and the designated Hearing Committee to act upon questions of compliance by an individual with the provision of the governing documents and interpretive policies.

NOW THEREFORE be it resolved that any actions by the Board and the designated Hearing Committee regarding Covenant violations shall be in accordance with the following procedures:

Complaints of Covenants violations shall be brought to the attention of the Board of Directors and the Hearing Committee by the management company for the Association. If the violation is well-founded, the process for enforcement shall proceed as follows:

- A. A notice will be sent via USPS mail and email with the following details:
 - 1. The nature of the alleged violation and the specific Covenant which is allegedly being violated.
 - 2. A request for a hearing regarding the violation must be made in writing within 10 days of service of the notice, as described in section C. Every attempt will be made to schedule the hearing within 30 days of the request

being received period in lieu of attending the hearing, a person may submit written testimony or other documentation.

3. The notice shall advise that the violation may be cured prior to the meeting, or that evidence can be presented at the meeting regarding curing the violation.
 4. The notice shall advise of penalties which the Association may impose if it is determined that the violation exists.
- B. Service of the notice shall be deemed complete upon mailing through the United States Postal Service using a tracking number to ensure receipt. Electronic mail with the information will be sent as a courtesy.
- C. At the meeting in which the alleged violation is to be considered, the alleged violator shall be given an opportunity to fully defend the allegations, including providing evidence or argument regarding the alleged violation. Thereafter, the Hearing Committee shall consider all the evidence and make a finding concerning the alleged violation, based upon the evidence presented at the meeting. If the Hearing Committee desires, the meeting may be adjourned to allow the Committee to view the location of the violation. If the Hearing Committee determines that a violation exists, the Board of Directors may withhold imposition of a fine if the alleged violator presents evidence which convincingly demonstrates that the violation will be cured within a reasonable period.
- D. Pursuant to AS 34.08.320(a)(11), the Association may impose a fine for violation of a covenant. Violation follow up will be done fourteen (14) days after the previous violation. If not corrected, additional violations will be issued, and fines will be assessed per this fine schedule:

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| 1. First Violation | No Fine (Courtesy Notice) |
| 2. Second Violation | \$25 |
| 3. Third Violation | \$50 |
| 4. Fourth Violation | \$75 |
| 5. Subsequent | \$25/day or \$150/week at the discretion of the Board. |

Upon adoption of this Resolution, Administrative Resolution #2 (effective on February 1, 1986) is rescinded in its entirety and replaced by Resolution #3.