

*Cooper Crest*  
*Homeowners Association*

2208 Cooper Crest Place N. W.

Olympia, WA 98502

www.coopercrest.com

**COOPER CREST HOMEOWNERS' ASSOCIATION**  
**VIOLATION ENFORCEMENT POLICY**  
**Effective 9/4/20**

**1. PURPOSE**

The Association has the legal duty to enforce the recorded declaration of covenants, conditions and restrictions that govern use of property. The Association's purpose per the governing documents is to maintain, repair and operate all common areas and improvements thereon, enforce beneficial restrictions on all properties within the development, and to do and perform any and all acts which may be necessary for, or incidental to, the exercise of any of the foregoing powers, or for the peace, health, comfort, safety and/or general welfare of owners of said property or residents thereon. As such, a uniform enforcement policy is necessary. The Association through its Board of Directors and management company shall apply this enforcement policy equally and consistently.

**2. AUTHORITY**

The declaration of covenants, conditions and restrictions grants to the HOA the power to adopt reasonable regulations in respect to the enforcement of the covenants. The bylaws grant to the association, the power to conduct, manage and control the affairs and business of the association and to make such rules and regulations as are not inconsistent with law, the articles and bylaws.

**3. NOTICES & FINES**

All compliance notices issued under this policy will be issued via e-mail whenever possible. Owners are responsible to provide accurate e-mail information to the HOA to facilitate efficient and cost-effective communication. All fines under this policy are payable within 15 days of the date of the compliance notice.

Each member of the community is required to comply with the CC&Rs, Bylaws, and Good Neighbor Policy to promote harmony and cooperative purpose of the community. Each owner is fully responsible for the compliance of their family members, guests, tenants, and other visitors or occupants of the owner's unit while they are within Cooper Crest HOA boundaries.

Observations of CC&R violations may be from homeowners or from VIS Group employees who make periodic inspections of the community. Homeowner violations are reported to VIS at [vismanagement.com](http://vismanagement.com).

The following is a schedule of fines and compliance days:

Notice	Action	Days to Comply	Fine and Admin Charge
Courtesy	Courtesy Notice	Written warning with 20 days to comply. Owner must submit a written reply along with proof (i.e. photo or copy of receipt) within 20 days of the notice to show an attempt to comply is being made to avoid fines.	No charge
1st	Failure to Comply Notice	15	\$25.00 + \$10.00
2nd	Failure to Comply Notice	15	\$50.00 + \$10.00
3rd	Failure to Comply Notice	15	\$75.00 + \$10.00
4rd	Failure to Comply Notice	15	\$100.00 every 15 days + \$10.00

After the fourth notice, fines will increase by \$100 with successive violations. Homeowners will be allowed 15 calendar days to pay fines levied in continued violations. Each notice shall describe the violation and inform the homeowner. Notices shall inform the homeowner that unpaid fines and uncorrected violations could result in lien and/or potential legal action and payment of legal costs and fees. The Association may assess fines in excess of the above schedule if, in the opinion of the Board of Directors, the violation creates a hazard to the safety, welfare or property of other residents and may require sooner compliance. Damages to HOA property could also lead increased fines. The homeowner has the duty to inform the Association through the management company that corrective action has been taken and the violation cured, or the fine could continue. All violations must be corrected in good faith and permanently.

#### 4. REPEAT VIOLATIONS

For a repeat violation of the same nature, the homeowner shall not receive a new courtesy notice, but rather will receive the Failure to Comply Notice and be charged a fine in that notice. If a homeowner has multiple unrelated violations, they will be treated as individual violations, not repeat violations. The process is applied to each unrelated violation separately, since the homeowner could correct one of the violations without correcting the other violations.

The courtesy notice of any violation marks the beginning of a violation history. This history is not erased unless the property changes homeowners, so prior year's violations may apply. The history may contain a variety of types of violations. The courtesy notice of a violation will include a warning that a fine will be imposed on the 2<sup>nd</sup> notice on any type of violation.

#### 5. APPEAL PROCESS

RCW 64.38.020 and HOA policy grants to the homeowner the right to appeal any dispute with the Association. The homeowner must put a request to appeal in writing, to the address of the Association Management Company by mail, 8617 East Martin Way, Lacey WA 98516 or email, [info@vismanagement.com](mailto:info@vismanagement.com) within 15 days of receipt of the violation letter.

Thereafter, the Association's Board of Directors or management company will notify the homeowner within 10 working days of receipt of the appeal, and will set a hearing on the matter not more than 30 days thereafter, unless extenuating circumstances cause a delay. According to RCW 64.38.020, the Association's Board of Directors may act as the board of appeals.

If circumstances warrant, the Association's Board of Directors may also convene a separate board of appeals. The Association's Board of Directors would then set a hearing on the matter not more than 30 days after the receipt of the appeal, unless extenuating circumstances cause a delay. In either case, the homeowner will be notified of the ruling on the appeal within 30 days.

When an appeal is presented, and the Association's Board of Directors decides to convene a separate board of appeals a hearing committee of at least three Cooper Crest homeowners, who reside in the neighborhood, will convene and a ruling will be rendered.

Committee membership shall consist of at least one HOA board member. The other two members must be non-board member homeowners living in Cooper Crest. The appealing party will be notified of the appeal hearing, afforded the opportunity to present evidence, and be heard by the committee. The appealing party's decision not to appear or failure to appear does not prevent the fine and will be a waiver of the appeal unless granted a new hearing by the committee. A written decision on the appeal will be e-mailed and/or mailed to the appealing party within 30-days of the appeal hearing unless extenuating circumstances cause a delay.

#### 6. GENERAL

If a Compliance Violation Fine remains unpaid for 60 days, then the Association has the option to file a Lien (which includes all associated costs and fees) against the Lot. If the homeowner continues to ignore payment of the Compliance Fine and Lien charges, then the Association has the option to forward the matter to Small Claims Court or a Collection Agency for collection of the amount owed.

The Association's Board of Directors shall have the authority to change monetary fines or liens or alter the process, with the exception of the appeal process, through a formal vote of the Board. Copies of all notices and related correspondence will be maintained by the Secretary of the Association and the Association's management company. This Enforcement Policy was approved by the Cooper Crest of Directors on the 4th day of September 2020.



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President

Date: Sept 4, 2020

Richard deRosset

*Prabakaran Manoharan*

Prabakaran Manoharan

Secretary

Date: 9/5/2020

*Sal Munoz*

Sal Munoz

Date: 9/6/2020