

HUNTINGTON WOODS HOMEOWNERS ASSOCIATION

RESOLUTION ON: Covenant and Rule Enforcement Policy

Resolution Type: Administrative Resolution No. A2013-3

RESOLUTION EFFECTIVE DATE April 1, 2013

This is an original Resolution adopted on March 26, 2013

This Resolution hereby revokes and replaces Resolution \_\_\_\_\_

This Resolution was revoked and replaced by Resolution \_\_\_\_\_

This Resolution was revoked without a replacement on \_\_\_\_\_

**PURPOSE:**

**To adopt a uniform procedure to be followed when enforcing governing documents and rules and for the notice of alleged violations, conduct of hearings and imposition of fines.**

**WHEREAS**, the HWHOA Bylaws, Article VII Section 1.C gives the Board of Directors the power to "exercise for the Association all duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these Bylaws, the Articles of Incorporation, or the Declarations", and

**WHEREAS**, Chapter 47F-3-102(12) of the North Carolina General Statutes states that the Association may impose reasonable fines or suspend privileges or suspend services provided by the Association for reasonable periods for violations of the Declaration of Covenants, Conditions and Restrictions of HWHOA (the "Declaration"), Bylaws, Architectural Guidelines and other rules and regulations of the Association, and

**WHEREAS**, Article II, Section 1 of the Declaration states that by acceptance of a deed, the Owner agrees to abide by the governing documents and all duly adopted rules and regulations of the Association and to pay all assessments duly levied by the Association and

**WHEREAS**, Article X Section 1 of the Declaration states that the Homeowners Association or any Owner shall have the right to enforce all restrictions, conditions, covenants, reservations, liens, and charges now or hereafter imposed by the provisions of the Declaration, and

**WHEREAS**, there is a need for the Board of Directors to give direction regarding the process associated with the enforcement of the Declaration, Bylaws, Architectural Guidelines, and other rules and regulations of the Association, and the action of imposing fines against Lots that are in violation of each, and

**WHEREAS**, it is the intent that this policy be applicable for the processing of violations of the Declaration, Bylaws, Architectural Guidelines and other rules and regulations of the Association and the imposing of reasonable fines against Owners of Lots that are in violation and that this resolution shall be in effect from the date listed above until it is rescinded, modified or amended by a majority of the Board of Directors;

**NOW, THEREFORE, BE IT RESOLVED** that the following policy shall be and hereby is adopted by the Board of Directors regarding the process of enforcement of the Declaration , Bylaws, Architectural Guidelines, or other rules and regulations of the Association:

