

Brock Point Residential Covenant and ARC Standards Enforcement and Fine Policy

The Board of Directors (BOD) of Brock Point Residential approve the following Covenant Enforcement and Fine Policy as of 11/10/2020 (Policy updated as of 3/31/2023):

All exterior modifications to your property require ARC approval.

1. If you start on your project without ARC Approval
 - a. Subject to a \$500 onetime fine
 - b. After 7 days following the date of the one-time fine notification you will be subject to a \$100 / day fine for non-compliance.
2. If you have submitted your plans to ARC and begin work without approval
 - a. Subject to a \$500 one-time fine
 - b. After 7 days following the date of the one-time fine notification you will be subject to a \$100 / day fine for non-compliance.
3. If you have submitted your plans to ARC and there are outstanding questions or additional details to be provided (and you have not received approval yet) and you begin work without approval
 - a. Subject to a \$500 one-time fine
 - b. After 7 days following the date of the one-time fine notification you will be subject to a \$100 / day fine for non-compliance.
4. At the Board’s discretion, if your project is significant enough, a Cease & Desist letter may be issued. If you do not comply with notice to Cease & Desist work immediately upon receiving notification
 - a. Subject to an additional \$500 / day fine until work has stopped.

Approval from the ARC will be provided in an email from the Board or the HOA Management Company Representative and will be stamped “APPROVED” on your submission (see sample stamp below).



General Covenant and Architectural Standards Violations:

FIRST NOTICE: Upon determining that a violation of the Covenants has occurred or is occurring, the Association, or their agent, shall send a notice of violation to the offending Owner. The first notice shall describe the violation(s) and allow a certain number of days (see

schedule) to satisfactorily resolve and/or submit a reasonable plan to resolve said violation(s) to the Architectural Review Committee for the Association (ARC).

SECOND NOTICE: If the violation(s) has not been satisfactorily rectified within the time period stated on the FIRST NOTICE, a SECOND NOTICE will be mailed to the Owner. The SECOND NOTICE will allow for an additional number of days (See Schedule) to satisfactorily resolve said violation(s) with the ARC. The SECOND NOTICE will give a **WARNING** that a **Compliance Fine** (See Schedule) **will be assessed** to the Owner's account, if not satisfactorily resolved within the time period allowed on the SECOND NOTICE. At this point, the Association reserves the right to enforce and rectify any of the violation(s) per Section 4 and Section 5 of the Covenants. All costs incurred to enforce correct, and/or repair related damage caused by a violation(s) shall be paid by the Homeowner's Association and charged to the property Owner's account.

THIRD/ FINAL NOTICE: If the violation(s) has not been satisfactorily rectified within the time period stated on the SECOND NOTICE, in addition to the **Compliance Fine** assessed to the Owner's account, a THIRD NOTICE will include an updated statement of the Owner's account reflecting assessed fine. The final notice will inform the Owner that if further action is required or the Association turns the matter over to an attorney, all fees, fines, and associated costs will be first paid by the Association and charged back to the Owner's account. Further, the Owner's account will continue to accrue fines in the amount of **\$100.00 per month** after the FINAL NOTICE is issued while the non-compliant matter remains unsatisfactorily resolved.

ATTORNEY ACTION: If after the time period given in the THIRD NOTICE, the Owner has not made a suitable attempt to correct the item(s) and/or has failed to submit a reasonable plan to resolve said violation(s), the Association may choose to refer the matter to an attorney. The attorney will send a letter informing the Owner that if the violation(s) is not satisfactorily resolved within fifteen (15) days, a lawsuit may be filed in circuit court to which all fees, fines, and associated costs will be first paid by the Association and charged back to the Owner's account, as indicated in the final notice.

FINE(S): If it is necessary to assess a Compliance Fine against the Owner, as specified, for the second and/or final notice, the Owner will have thirty (30) days from the date of the notice for payment of said fine to be received by the Association or Agent thereof. It is the Owner's responsibility to pay the Compliance Fine and the Owner's account may be subject to late fees associated with the delinquency if the fine(s) is not paid as specified. An Owner's account with unpaid Compliance Fines is subject to the actions outlined in Section 6.8 of the Brock Point Declaration of Covenants, Conditions and Restrictions as an Individual Assessment and may result in said account and/or property having liens filed against it and being referred to an attorney. Pursuant to the Bylaws Section 2.10, failure to pay all Assessments, including those Individual Assessments arising from this Fine Policy, causes a suspension of Owner's right to vote, access to the neighborhood's amenities (i.e., boat/kayak launch, lake, etc.) and any and all ARC requests will not be considered, until all Assessments are paid in full.

ENFORCEMENT & FINE POLICY
Schedule of Action Dates & Fines

| Type of Covenant / Architectural Standard Violation | First Notice – Days to Correct | Second Notice – Days to Correct | Fine Assessment |
|---|---------------------------------------|--|---|
| Landscape Maintenance, Cut Grass, Weeds, Shrubs, Mulch/Pine Straw, Maintain Beds & Miscellaneous Yard Maintenance | 7 | 7 | \$75.00 |
| Disabled or Covered cars outside of a garage, Trailers | 7 | 7 | \$100.00 |
| Garbage Cans in sight | 7 | 7 | \$50.00 |
| Any other Misc. Covenant / ARC standard violation | 7 | 7 | \$50.00 |
| No ARC Approval – see above | 7* * Only notice prior to fines | 0 | \$100.00 - \$500.00 See above for schedule |