



marinita
HOMEOWNER'S ASSOCIATION
P. O. Box 208
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Notification Process and Penalties for CC&R Violations

Motion Made Seconded and Passed by the BOD on June 19, 2007
Motion Made, Seconded and Passed Modifying the Document on February 19, 2008
Motion Made, Seconded and Passed Modifying the Document on August 14, 2023

Per ARTICLE VII- ARCHITECTURAL CONTROL, the Architectural Committee has the responsibility to “*preserve the architectural integrity and design of the Project*”.

Per ARTICLE VIII- DUTIES AND POWERS OF THE ASSOCIATION, the Board of Directors has the responsibility “*to enforce the provisions of the CC&Rs by reasonably appropriate means, including, but not limited to the expenditure of the Association's money, the employment of legal counsel, and the commencement and prosecution of a legal action or actions*”.

Therefore, to perform these duties expeditiously, responsibility and consistently, the following motion was made, seconded and passed by the Board of Directors.

RESOLVED:

Upon the Architectural Committee or the Board of Directors being informed of and confirming a CC&R violation, the following procedure will be used to notify a homeowner to correct the violation.

First Notice.

A ‘Courtesy Notice’ letter will be sent by mail to the Homeowner that specifies the relevant CC&R section(s) and requests that the violation be corrected within thirty days to avoid fines being assessed. The Homeowner will be invited to attend the next HOA meeting (date, time and location provided) if they wish to discuss the matter.

Second Notice.

If there is no response to the ‘Courtesy Notice’, then a ‘Violation Notice’ will be mailed to the Homeowner referencing the date of the ‘Courtesy Notice’ and relevant CC&R section(s) stating that the violation must be corrected within 30 days or fines of \$200 will be assessed after 30 days, and every month thereafter until the violation has been corrected. The Homeowner will again be invited to attend the next HOA meeting (date, time and location provided) to discuss the matter.

Recurring violations.

If a homeowner has recurring CC&R violations, subsequent ‘Violation Notices’ may be sent without additional ‘Courtesy Notices’ and fines may begin within 30 days of a new ‘Violation Notice’.

Fees and expenses.

Any fees or costs incurred by the Association for legal or other services in relation to a particular enforcement effort will be billed to the Homeowner.

Completed Work.

Monthly fines will stop as soon as the Homeowner notifies the Board that the violation has been corrected and a member of the Architectural Committee or the Board of Directors has confirmed that the violation has been corrected.