

**White Water Estates
Board of Directors**

9 April 2008

NOTICE

Fine Process and Schedule for White Water Estates

- 1. REFERENCE:** This notice is established under the authority of the following documents:
 - a. Revised Code of Washington (RCW) 64.38.020 – Association powers
 - b. By-Laws of White Water Estates Country Club, dated 25 May 2006
 - c. White Water Estates Declaration of Protective Covenants, Conditions and Restrictions (CCR)

- 2. PURPOSE:** To identify the circumstances by which the Board of Directors (BOD) may impose a fine. Establish the process the BOD will follow to impose a fine on a White Water Estates Lot Owner. Identify fines and the ramifications of not paying BOD fines. To identify the process available for lot owners to contest a BOD imposed fine. Excluded from this document are the fine schedule and procedures for failure to pay Assessments and Special Assessments. Those procedures are explained in detail in Article IX of the By-Laws (ref. 1.b. above).

- 3. FINES & SCHEDULE:** Fines may be imposed by the BOD for two general categories:
 - a. Failure to correct CCR violations. This category of violations will be assessed a fine starting at \$50 for the first month. After the first month's fine, the fine will increase another \$50 each month to a maximum of \$200 per month, until the CCR violation is corrected.
 - b. Lot owner* actions that are deemed to be reckless and endangering to other people or property. *In this context the lot owner is considered to be the lot owner, a family member, or any invited guest. Fines per occurrence will be a minimum of \$50 and are not to exceed \$200 depending upon the severity of the incident. The amount of the fine will be determined by the BOD. Reckless and Endangering is defined, but not limited to, any of the following actions:
 - i. Discharge of firearms inside the perimeter of White Water Estates.
 - ii. Failure to maintain physical control of an animal when off the animal owner's lot.
 - iii. Racing or reckless driving of a motorized vehicle on White Water Estates roadways or community property.
 - iv. Launching a projectile towards another person or property that can cause injury or damage.

- 4. PROCESS FOR IMPOSING FINES:** This section describes the process the BOD will follow leading up to imposing a fine on a lot owner.
CCR Violations:
 - a. Lot owners with CCR violations will receive a first notice by mail requiring their attention and correction of the violation. A lot homeowner will have 15-30 days from the date of the notice to correct the violation.
 - b. Lot owners who do not correct or respond to the first notification about the CCR violation will receive a second notice by mail requesting their immediate attention and correction within 15 days of the date of the second notice.
 - c. Lot owner who fail to respond to a second notice about the same violation shall receive a third and final notice. The third notice will state the amount of the fine to be assessed if the violation is not corrected within 15 days. If the lot owner does not choose to address the

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BOD about the CCR violation and no corrective action is taken by the deadline stated in the third notice, the BOD will assess the fine to the lot owner.

Reckless and Endangering Violations:

- a. Fines are situational dependent and imposed at the discretion of the BOD. If there does not appear to be a high probability of a repeat offense, the BOD may elect to send out a notice to correct the situation. If the incident is considered to have a high probability of being repeated or causing personal injury or damage to other peoples' property, the BOD may impose a fine immediately. Depending on the seriousness of the incident the BOD retains the option of contacting law enforcement for legal action.

In all cases, the lot owner has the right to address/appear before the BOD about the imposed fine at the next regularly scheduled BOD meeting. A request to appear before the board shall be submitted in writing. The BOD can waive, reduce the fine, or extend the due date, depending on the merit of the circumstance presented by the lot owner at the BOD meeting. An assessed fine (will not be due until at least two weeks after the next scheduled BOD meeting. If the lot owner fails to pay the assessed fine, the BOD will follow the same procedures set forth in Article IX, Sections 4 through 7 of the By-Laws (ref. 1.b. above). The BOD also retains the option to turn the unpaid fine over to a collection agency or an attorney to pursue legal action against the delinquent lot owner. In this case, the lot owner may become liable for legal fees and expenses.

This notice will remain in effect until retracted or modified by the BOD, or until the current CCR have be revised and properly ratified by the community.

Sincerely,

Buryl E. Dooley
BOD President