

Master Homeowners Association for Green Valley Ranch
**ENFORCEMENT OF COVENANTS AND RULES,
INCLUDING NOTICE AND HEARING PROCEDURES AND
THE SCHEDULE OF FINES POLICY**

RESPONSIBLE GOVERNING POLICY
In Compliance with Senate Bill 100
Revised and Effective November 2, 2011

Inherent with the enforcement and defense of the governing documents, including the Master Declaration, the Articles of Incorporation, the By-Laws, and the Rules and Site Restrictions (the "Governing Documents"), after delivering proper notice and an opportunity for a hearing to the alleged violator, the Association may choose to impose a fine upon the violator. The Association's power to impose fines is set forth in the Master Declaration.

COMPLAINT PROCESS

1. Committee. The Board shall appoint a Hearing Committee ("Committee") to monitor and evaluate violations of the Governing Documents. Members of the Committee shall serve at the discretion of the HOA Board. A member of the HOA Board may serve on the Committee as a non-voting HOA observer. The HOA Supervisor may provide training to Committee members as appropriate. If there is not an established Committee, the HOA Board shall perform the functions otherwise delegated to the Committee.

2. Inspections. The Association, acting through the Supervisor, the ARC Committee or other representative, will conduct inspections periodically. The HOA Supervisor or their designee may take photographs of observed violations. The photographs will be provided to the Owner upon request.

3. Who May Report Complaints. A complaint ("Complaint") regarding alleged violations may be reported by any Owner or resident within the Community or by the HOA Supervisor.

4. Procedure for Reporting Complaints. Complaints by Owners or residents shall be submitted in writing to the HOA Supervisor and shall provide the street address of the property and a concise description of the alleged violation. Violations that cannot be confirmed by the Association, or its designated representative, by visual inspection will require additional supporting documentation from the Complaining Party.

5. Responsible Parties. Any non-compliance with the Rules and Regulations by any Owner, renter, or guest will be the responsibility of the Property owner.

NOTICE OF VIOLATION

If the HOA Supervisor determines a violation may have occurred, a violation notice will be sent to the Owner describing the nature of the alleged violation and the actions that must be taken to correct the alleged violation (“Notice of Violation”). Please note that in any section with sub-categories (Basketball Backboards, Landscaping, etc) separate violations can be issued for each sub category.

NOTIFICATION OF VIOLATION LETTER

The homeowner will be sent a written notification of the violation. Each notice will be deposited in the US Mail, addressed to the Property Owner on file with the Association. Property Owners are responsible for informing the Association if the Property Owner resides at an address different from that on file with the County Assessor’s Office. Property Owners are responsible to ensure the Association has their current address. Property Owners are responsible for Covenant Violations regardless of whether the property is rented. If the violation requires Architectural Review Committee approval, an ARC application form will accompany the violation notice. A written response from the Property Owner to the violation notice, or compliance with the violation, is required within fifteen (15) calendar days from the date on the notice.

HOA SUPERVISOR

The HOA Supervisor will notify the Architectural Review Committee (ARC) if the violation requires ARC approval.

RESPONSE

If the Property Owner fails to respond to the violation notice in the allotted time, or fails to remedy the violation, the matter will be referred to the Hearing Committee. A Hearing Notice will be sent, by First Class Mail, to the Property Owner at least fifteen (15) calendar days prior to date and time of the Hearing. A notarized Certificate of Mailing will provide proof of mailing.

RIGHT TO HEARING

The Board of Directors will not impose a fine, suspend voting or suspend any other rights of a homeowner for violations of the Governing Documents unless the procedures set forth in this Policy are followed. A Notice of Hearing will not be required where an emergency exists or, if permitted by the Governing Documents, the Board of Directors commences an action in a court of law.

EMERGENCY SITUATIONS

The Association may dispense with the Notice of Violation if it determines an emergency may exist, i.e. if the alleged violation may pose an immediate threat to persons or property. In such case, the initial Notice may be a Hearing Notice Letter.

HEARING RULES

At the Hearing, the homeowner shall have the right, personally or by representation, to give testimony orally, in writing, or both (as specified in the Hearing Notice), subject to reasonable rules of procedure established by the Hearing Committee to assure a prompt and orderly

resolution of the issues. The homeowner may be represented by counsel. Written and oral evidence may be presented. The Hearing need not be conducted according to any technical rules relating to evidence or witnesses, except the presenting party will provide copies of any written evidence to the other party or parties. The Hearing shall be open to all Members unless the homeowner requests privacy because of sensitive or personal information subject to discussion. Any evidence shall be duly considered, but is not binding on the Committee in making its recommendations. The Association shall deliver to the homeowner notification of the decision within fifteen (15) calendar days after HOA Board acts on the recommendations of the Hearing Committee.

FAILURE TO APPEAR

Neither the alleged violating homeowner nor any accusing person need be in attendance. Homeowners who fail to attend or do not file a written response with the Association may be fined per the recommendations of the Hearing Committee.

NONPAYMENT OF ASSESSMENT

The foregoing Notice and Hearing procedures are not required in order for the Association to impose any sanction for nonpayment of an Assessment, including, but not limited to, imposing default interest, charging a late fee or lien charge, assessing collection costs and attorney fees and commencing and prosecuting a foreclosure action.

HEARING COMMITTEE

The purpose of the Hearing Committee is to evaluate the nature of the alleged violation and to arrive at a resolution with the Property Owners. The Board of Directors may, in its discretion, appoint a Hearing Committee, in lieu of a tribunal, to hear the matter ("Hearing Committee"). A Hearing Committee shall be comprised of at least three (3) Members of the HOA Association whom the Board of Directors believes will be able to afford a fair and impartial Hearing meeting.

APPEALS

Each homeowner has a right to appeal any Board decision regarding violations. The homeowner may appeal the findings to the HOA Board at its next regularly scheduled board meeting.

FINES

* No fines will be assessed until the Board of Directors has evaluated the Hearing Committee's recommendations and taken Board action to assess the fine.

First Violation. The fine for a first confirmed violation of a Rule or Regulation will be determined by the type of violation as published in the Covenant Violation Fine Schedule.

Recurring Violations. Violations recurring within six (6) months of the Board Action confirming the violation will result in the issuance of a Hearing Notice Letter being sent with no First Notice. The Covenant Violation Fine Schedule will apply.

Assessments and Collection. A Fine assessed against an Owner will be collected in a manner consistent with the Delinquency Policies of the Association and all applicable Colorado laws.

Due Date. A fine will be due and payable in full within thirty (30) days from the date of the letter notifying the Homeowner of the fine being imposed by the Board unless other arrangements have been made that are satisfactory to the HOA Board.

GENERAL PROVISIONS

1. **Waivers.** The Association is authorized to extend the time periods and otherwise modify or waive the procedures contained in this Policy, on a case by case basis, as the Board determines, in its sole discretion.

2. **Extenuating Circumstances.** If extenuating circumstances arise with a violation, the Association may request the homeowner prepare and submit a written plan outlining how the violation will be corrected. The Board will review the proposed plan and will decide, in its sole discretion, whether to accept, reject or offer a compromise on the submission.

3. **Definitions.** Unless otherwise defined in this Policy, capitalized terms or terms defined in the Declaration shall have the same meaning herein as set forth in the Declaration.

4. **Replacement and Supplement.** This Policy supersedes and replaces in its entirety the "Adoption and Amendment of Policies, Procedures and Rules Policy" previously adopted by the Board. The provisions of this Policy shall be in addition to and shall supplement the terms and provisions of the Declaration, the Bylaws, and the laws of the State of Colorado governing the Association. To the extent of any inconsistency in the terms of this Policy and the Declaration, the terms of the Declaration will control.

Master Homeowners Association for Green Valley Ranch
RESOLUTION

TO REVISE THE ASSOCIATION COVENANT ENFORCEMENT POLICY

Pursuant to the provisions of the Declarations of the Master Homeowners Association for Green Valley Ranch (the "Association"), which allow for this action of the Executive Board of Directors of the Association, the following Resolution was adopted by the majority of the Executive Board of Directors of the Association.

BE IT RESOLVED, that the "Enforcement of Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines Policy" is approved and adopted as Rule and Regulation of the Association to be effective November 2, 1011; and that this Policy will supersede and replace in its entirety the " Enforcement of Covenants and Rules, including Notice and Hearing Procedures and the Schedule of Fines Policy" previously adopted by the Board; and

FURTHER RESOLVED, that the officers of the Association shall notify the Members of this Policy.

IN WITNESS WHEREOF, signed and adopted by the Board of Directors this, 2nd day of November, 2011.

**MASTER HOMEOWNERS ASSOCIATION
FOR GREEN VALLEY RANCH,**
A Colorado Nonprofit Corporation

President: *Signature on file*

Secretary: *Signature on file*