

THE CLIFFS ASSOCIATION ENFORCEMENT POLICY

A. Notwithstanding anything contained in these Rules, the Board has the right to proceed, immediately or otherwise, with legal action for any violation of the Declarations, Bylaws, or Rules ("Governing Documents") as the Board, in its sole discretion may determine. The entire cost of effectuating a legal remedy to impose compliance, including court costs and attorneys' fees, will be assessed to the account of the responsible unit owner.

B. The unit owner is responsible for any violation of the Governing Documents by the unit owner, the guests, or the occupants, including tenants of the unit owner's home.

C. All costs stemming from any violation, including enforcement assessments, cleaning, repairs, or removal, will be charged responsible unit owner's account.

D. In addition to any other action and if applicable, in accordance with the procedure outlined below, the Board may: a) levy an enforcement assessment for damages and/or cleaning of the common elements or other property, or b) levy an enforcement assessment per occurrence or if the violation is continuous and ongoing in nature, levy an enforcement assessment per day, or c) levy an enforcement assessment for the approximate cost to physically remove the violation. For any violation of the Governing Documents that is continuous and uninterrupted for a period of more than 24 hours, each calendar day that the violation continues without interruption constitutes a new and separate violation.

E. Prior to the imposition of an enforcement assessment for a violation, the following procedure will be followed:

1. Written notice(s) will be served upon the alleged responsible unit owner specifying:

- a. A description of the property damage or violation and
- b. The amount of the proposed charge (or, if unknown, a reasonable estimate of the proposed charge), or enforcement assessment; and
- c. A statement that the owner has a right to, and the procedures to request a hearing before the Board to contest the proposed charge or enforcement assessment; and
- d. If applicable, a reasonable date by which the owner must cure the violation to avoid the proposed charge or assessment.

2. To request a hearing, the unit owner must mail or deliver a written "Request for Hearing" notice, which must be received by the Board not later than the tenth day after receiving the notice required by Item 1 above.

- a. If a Unit owner timely requests a hearing, at least seven days prior to the hearing the Board will provide the unit owner a written notice that includes the date, time, and location of the hearing. If the Unit owner fails to make a timely request for a hearing, the right to that hearing is waived, and the enforcement assessment will be immediately imposed; and
- b. At the hearing, the Board and alleged responsible Unit owner have the right to present any evidence. This hearing will be held in Executive Session and proof of hearing, evidence of written notice to the Unit owner to abate action, and intent to impose an enforcement assessment will become a part of the hearing minutes. Within 30 calendar days of the hearing the Unit owner will be sent written notice of the Board's decision.
- c. In the event of an enforcement assessment hearing or court hearing, copies of complaints and the complaining party identity will be made available to the alleged violator.

3. The Association may file a lien for any enforcement assessment that remains unpaid for more than 10 days.