

WHISPERING RIDGE HOMEOWNERS ASSOCIATION FINE SCHEDULE

The Whispering Ridge Homeowners Association (the "Association") has the right to enforce the Association's Governing Documents pursuant to the CC&Rs. This right includes requesting the violator to cease the offending action, suspending the owner's membership rights, specially assessing the owner, fining the violator, and taking legal action against the violator. Once the Board of Directors is aware of a violation, the Board will investigate the allegation and may take appropriate action against the owner. However, nothing in this section obligates or requires the Board of Directors or its authorized committee to take any action against an individual resident. Individual owners also have the right to enforce the governing documents on their own.

- A. Due Process. Prior to the imposition of any fine or individual reimbursement assessment, the homeowner shall be given notice and an opportunity to appear in person or in writing before the Board of Directors or appropriate committee. Due process will be conducted in a manner consistent with Civil Code § 1363 such that 10 days' notice will be given of any hearing and within 15 days after the hearing the owner will be notified in writing of the outcome.
- B. Enforcement Guidelines. Generally, absent special circumstances, the Association will adhere to the following discipline and fine protocol for violations of the governing documents:
- (i) Warning Notice: Initial warning letter and request to correct violation within a reasonable amount of time as determined by the Board or its committee.
 - (ii) Second Notice: Reminder notice with request to cure violation within a reasonable amount of time as determined by the Board or its committee.
 - (iii) Fine/Hearing Notice: The Fine/Hearing Notice will be sent setting forth the violation and requesting immediate remedial action. Also, the Fine/Hearing Notice will establish a possible fine amount and set a hearing regarding the fine. In addition to the fine, the Association may also assess attorneys' fees and costs, if any, associated with the enforcement action.
 - (iv) Note: For subsequent violations (2nd, 3rd, etc.) of the same type as prior violations, no Warning Notice will be sent to the Owner in violation. Instead, the Association will immediately send a Fine/Hearing Notice establishing a fine amount and setting a hearing regarding the violation and fine amount at least ten (10) days from the date appearing on the Fine/Hearing Notice. For subsequent violations of the same type, the Board may assess fines pursuant to the schedules established for second and third violations.

The following fine schedule shall apply to all violations:

1st Violation: \$50.00-\$300.00 for initial violation;

2nd Violation: \$100.00-\$500.00 for 2nd separate violation;

3rd Violation: \$150.00 - \$1,500.00 for 3rd separate violation.

NOTE: The Association reserves the right to make any of the above fines a continuing fine which will be assessed monthly to your account until the violation is removed. Additional hearings are not required for the levying of ongoing fines in the same amount.