

## BHVA POLICY ON EC VIOLATIONS AND FINES

When a homeowner receives a Violation Letter (certified, return receipt), the homeowner shall comply with the requirements of the Violation Letter within the specified timeframe given in the letter. Should the homeowner fail to comply with the requirements of the Violation, the EC shall recommend to the BHVA Board of Directors that the Property Manager take the following actions:

1) If the violation is for a failure to submit an Environmental Committee (EC) Application before work has begun or any other violation covered by the BHVA Declaration, Rules and Regulations and EC Guidelines, fines shall be levied according to following schedule:

VIOLATION FREQUENCY	FINES and PENALTIES	ADDITIONAL REQUIREMENTS
1 <sup>ST</sup>	\$100 plus costs	<ul style="list-style-type: none"> <li>• Stop work immediately on the change or alteration causing the Violation.</li> <li>• An appeal may be made in person at the subsequent EC meeting.</li> <li>• Submit a proper EC Application.</li> <li>• If the follow-on application is rejected, then violator shall perform remedial work as required by the EC to restore affected area to pre-violation condition.</li> </ul>
2 <sup>nd</sup>	\$250 plus costs	As above
3 <sup>rd</sup> or more	\$500 plus costs Plus Suspension of BHVA privileges and access to facilities for a period of 1 yr	As above

2) If the remedial EC Application is rejected by the EC and the violation remains uncorrected within the time specified in the Violation Letter, then additional fines may be levied and the homeowner's use of BHVA Community facilities and privileges shall be suspended. Fines shall be cumulative until such a time as the violation is corrected to the satisfaction of the EC.

If the resident in violation does not resolve the matter to the satisfaction of the EC Committee and the BHVA Board of Directors within the specified timeframes of the Violation Letters, then the BHVA Board of Directors may exercise its authority as defined in the Declaration and may take necessary actions to include legal remedies. All accumulating fines shall continue until the issue is resolved. Legal action includes, but is not limited to the obtaining of a judgment for the unpaid fines and placing a lien against a homeowner's house. All legal fees, interest, court costs, other fees, and all other monies to which the BHVA is entitled under the laws of the State of New York shall be assessed to the homeowner.

### NOTE

- 1) Violation Frequency can be for the same violation or a different one and are cumulative.
- 2) A homeowner can appeal the decisions of the EC to the Board of Directors.