

RULES AND REGULATIONS GOVERNING BOARD ACTIONS TO ENFORCE  
VIOLATIONS OF THE CC&Rs OF THE WOODHAVEN ESTATE  
HOMEOWNER'S ASSOCIATION  
*Amended November 23, 2010*

- 1) Previous Rules: The Rules and Regulations governing Board actions that were adopted on February 3, 2008, are hereby repealed.
- 2) General: Pursuant to Section 16 of the Covenants, Conditions, and Restrictions for Woodhaven Estates (hereinafter "CC&Rs), and Article VIII [sic] of the Bylaws of Woodhaven Estates Homeowner's Association, the Board of Directors adopts the following rules governing violations of the CC&Rs, Bylaws, or any other applicable rules governing Woodhaven Estates Homeowner's Association.
- 3) Complaint Procedure: Any member of the Association, including Board members, may report violations of the CC&Rs, Bylaws, Rules and Regulations, or any other rule governing the Association of the Board. The board shall take no action pm any matter relating to the enforcement of the CC&Rs and other applicable rules, other than failure to pay dues and assessments, unless it receives a written complaint from a member.
- 4) Initial Board Action (Preliminary Finding of Violation): Upon receiving a complaint the Board shall immediately provide notice of the complaint to the owner of the property allegedly in violation of the CC&R or other rule and request a response to the complaint. If the Board determines that there is sufficient evidence that a violation has occurred it may issue a Preliminary Finding of Violation (PFV). The Board may, but is not required to issue a PFV at a meeting. The Board shall provide notice of a PFV to the owner that is subject of the PFV.
- 5) Hearings on Violations: Within seven (7) days of the board sending notice of a PFV, the owner subject to the alleged violation may request a hearing. The Request for Hearing shall specifically identify the PFV and be mailed to Woodhaven Estates HOA, PO Box 5946, Salem, Oregon 97304.

Upon Receipt of such notice the Board shall hold a hearing. The Hearing may be held during a regularly scheduled meeting or the Board may call a special meeting to conduct the hearing. The Board shall provide notice of the hearing to the owner. At the hearing, the Board shall either confirm the PFV and issue a Finding of Violation (FV) or dismiss the PFV.

If the owner does not request a hearing the Board may issue a FV without conducting a hearing. The Board may schedule a hearing regarding a PFV even if the owner does not request a hearing. If the Board holds a hearing on its own motion, it shall provide notice of the hearing to the owner.

- 6) Finding of Violation: Upon issuing a Finding of Violation the Board may impose a fine in accordance with the applicable fine schedules.
- 7) Fine Schedule: In the event that the Board makes a finding of a final violation it may impose fines pursuant to this fine schedule. The Board shall send notice of the fine to the homeowner.
  - a) First Violation: up to \$100;
  - b) Second Violation: up to \$250;
  - c) Third Violation: up to \$500; and
  - d) Four or more Violations: up to \$1000.
- 8) No Limit on Board Authority: These rules do not limit or prohibit the Board from bringing any other applicable legal action to seek an injunction or equitable relief claim to enforce the terms of the CC&Rs. The Board may proceed with an action to enforce the CC&Rs in court without necessity of any proceedings set out in these rules or otherwise. These rules are intended to facilitate the Board's discussion and procedure and are not intended to bind the Board to any particular action.
- 9) Monetary Violations: The Association Bylaws and Declarations require the Association to assess every lot owner for expenses and costs of the Homeowner's Association and reserves, among other things. The Declaration and Bylaws further give the Association the right and obligation to collect said assessments, including filing liens against the property, if necessary. In order to facilitate collection of assessments, the Board may use the following process:
  - a) Upon learning that a lot owner is in arrears, the Board shall cause a reminder or Level 1 letter to be sent to the homeowner urging them to pay the dues within thirty days;
  - b) If the lot owner does not pay all dues owed in response to the Level 1 letter, the Association may request that the Association's attorney send a Level 2 letter to the lot owner stating that does not pay all outstanding arrearages within thirty days, that the Association will file a lien against the property and notify the lot owner's mortgagee, if any;
  - c) If the lot owner does not comply with either the Level 1 or Level 2 letter, the Association may instruct counsel to file and foreclose the Association's lien or bring any other applicable legal action to recover all amounts owed; and
  - d) The Association may follow this procedure for enforcing all fines, liens, and monetary obligation owed by the lot owner.

These Rules and Regulations were adopted on the 8<sup>th</sup> day of December 2010.