

JME Enforcement of Rules, Regulations, Covenants and Bylaws

A violation of the Jonas Mountain Estates Property Owner's Association (JMEPOA) Rules, Regulations, Covenants and By Laws may result in the payment of fines, damages, any legal fees expended by the JMEPOA to collect sums for damages and/or fines and the suspension of voting privileges. Any fine imposed by the Board of Directors for a violation shall be considered a charge against the property owner. POA members will be responsible for all fines levied against their relatives, guests, tenants and visitors for violations of the rules and regulations of JMEPOA.

Upon notice of a violation, the following actions will be taken:

1. A phone call notification will be made to the alleged violator specifying:
 - the alleged violation,
 - the action required to correct the alleged violation,
 - and
2. If the phone call cannot be made or the violation remains uncorrected after verbal notification, a written notice of violation will be served by hand or certified mail specifying:
 - the alleged violation,
 - the action required to correct the alleged violation,
 - a time period of not less than ten (10) days during which the alleged violation may be corrected without penalty; however, if verbal notification was made, the time period for correction is reduced to five (5) days, and
 - the penalty for not correcting the alleged violation within the specified time period.
3. If the same rule is subsequently violated, a written notification will be sent as above by hand or certified mail, but only five (5) days will be allowed for the violation to be corrected before an additional penalty is imposed. Third and subsequent violations of the same rule will incur additional penalties immediately.
4. Repeated intentional separate incidents of rule violations during a correction time period will be considered as subsequent violations of the same rule and be subject to higher fines.
 - a time period of not less than ten (10) days during which the alleged violation may be corrected without penalty.

5. If a violation is not corrected within the required time period, then the stated penalty is due within thirty (30) days of receiving written notification of the violation or, if a hearing was requested as per item #6 below, the stated penalty is due within ten (10) days of receiving a decision from the Rules Enforcement Committee that a penalty is due.

6. If a cited member requests a hearing by written letter to the Rules Enforcement Committee within thirty (30) days of being notified of an alleged violation, then the Rules Enforcement Committee will schedule a hearing and provide written notice of such hearing to the member cited. Proof of notice shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery is entered by the officer, Director, or agent who sent the notice. The notice shall specify:

- the time and place of the hearing which shall not be less than ten (10) days from the giving of the notice and
- an invitation to attend the hearing and to produce any statement, evidence and witness on behalf of the cited member.

7. The written results of a hearing and penalty imposed, if any, will be transmitted to both the member cited and to the Board of Directors. The decision of the Rules Enforcement Committee shall be final unless the Board decides to review the decision at its next scheduled board meeting.

The penalty for rule violations will be \$100 for the first violation, \$200 for the second violation of the same rule and \$500 for any further violations of the same rule within a twelve (12) month period.

Administrative, legal and court costs for collection and processing will be added to a fine. If payment of a fine is not paid in the time periods specified above, an additional charge of 15% per year applied monthly will be added to the penalty. The Board reserves the right to take legal action regarding the collection of fines and related costs which may result in a judgment against the property owner.

POA voting privileges will be suspended for any member who has outstanding fine(s).

A temporary exception to a rule may be granted if there is sufficient cause and for which documented approval is obtained from a JME Director in advance.

The Rules Enforcement Committee will be appointed by the Board of Directors and will consist of at least one Director and at least two JMEPOA members in good standing who are not Directors of the POA. The committee will be no larger than four members

