

RUSHBROOKE SOUTH HOMEOWNERS ASSOCIATION, INC.

RESOLUTION NO.

#3 COVENANT FINES

DATE ADOPTED:

3.26.2018

SUBJECT:

FINES TO BE IMPOSED FOR COVENANT VIOLATIONS

Article VII, Section 1(A) and (G) of the Bylaws for Rushbrooke South Homeowners Association, Inc. provides:

Section 1. Powers. The Board of Directors shall have the power to allow for under the statutes of the State of Oklahoma, and such additional powers including, but not limited to, the following:

- A. To adopt and publish rules and regulations governing the use of the Common area and facilities, and the personal conduct of the Members and their guests licensees and tenants, and establish penalties, including, but not limited to, the power to levy fines for the infraction thereof.
- G. To take such actions as is provided for and allowed by the provisions of these By-Laws, the Articles of Incorporation, and the Declaration as the Board may from time to time determine to be necessary to enforce the covenants, conditions and restrictions, and rules and regulations of the Properties, including the authority to bring legal action in the name of the Association to enforce such provisions.

**RESOLUTION:**

**BE IT RESOLVED AND ADOPTED** by the Board of Directors of Rushbrooke South Homeowners Association, Inc. ("the Association") that, pursuant to the authority granted the Board of Directors by Article VII Section 1 (A) and (G) of the Bylaws of the Association, from and after the date of adoption of this Resolution, fines shall be levied in accordance with Schedule A attached hereto for the failure of any owner to abate any violation of a covenant condition or restriction or any duly adopted rule, regulation or policy of the Association. An initial notification letter will be sent to the Member(s) making them aware of the violation(s) or noncompliance and providing the Member(s) a reasonable amount of time to abate the violation, including a warning that a fine(s) will be assessed if the violation(s) are not abated by a designated date. If the violation(s) are not abated by the designated date, fine(s) will be assessed for each different violation. Notice of the assessment will be sent to the Member(s), making them aware of the fine(s) assessed and warning them of additional fines should the violation(s) not be abated by or before the designated date outlined in the notice.

The initial fine per violation is intended to be a minimum fine, with each subsequently higher fine assessed as time progresses without abatement. Any fine assessed by the Board shall be considered an

assessment against the Member(s)' account under the governing documents of the Association and may be enforced in like manner as any other assessment of the Association.

If a Member(s) has(have) unpaid fines that are equal to or greater than \$1,000, the Board of Directors may choose to initiate a process to file a lien on the Member(s)' property or pursue other legal action as appropriate to collect the total unpaid fines. The Board of Directors has authority to define and change from time to time the schedule outlining the amount of fines to be assessed by type of violation and by length of time the Member(s) takes to abate the violation. Member(s) are responsible for payment of any fines assessed, regardless of whether the violation(s) are a result of their own conduct or that of any tenant, guest or licensee of the Member(s). Member(s) may request an opportunity to be heard by the Board regarding the violation(s), abatement challenges, fines and potential liens.

Failure by the Board of Directors to enforce any covenants, condition, restrictions or rules and regulations of the Association will not be deemed a waiver of the right to do so thereafter.

Effective on the date adopted as indicated above.

Denise Mas  
Board of Directors Member

[Signature]  
Board of Directors Member

Janet Kennedy  
Board of Directors Member

[Signature]  
Board of Directors Member

[Signature]  
Board of Directors Member

Date 3-26-18

STATE OF OKLAHOMA )  
 ) ss  
COUNTY OF TULSA )

Before me, the undersigned, a Notary Public, in and for said County and State on this 26<sup>th</sup> day of March 2018, personally appeared the Board Members above who subscribed the name of the maker thereof to the foregoing as its Board of Directors and acknowledged to me that they executed the same as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.  
My commission expires



[Signature]  
Notary Public

**FINES TO BE IMPOSED FOR COVENANT VIOLATIONS**

**SCHEDULE A**

<b>Actions in response to Failure to Remedy Non-Compliance</b>						
<b>1<sup>st</sup> Action</b>	<b>2<sup>nd</sup> Action</b>	<b>3<sup>rd</sup> Action</b>	<b>4<sup>th</sup> Action</b>	<b>5<sup>th</sup> Action</b>	<b>6<sup>th</sup> Action</b>	<b>7<sup>th</sup> Action</b>
<b>Initial Notice</b>	<b>30 Days Following Initial Notice</b>	<b>60 Days Following Initial Notice</b>	<b>90 Days Following Initial Notice</b>	<b>120 Days Following Initial Notice</b>	<b>150 Days Following Initial Notice</b>	<b>180 Days Following Initial Notice</b>
<b>Letter</b>	<b>Fine</b>	<b>Fine</b>	<b>Fine</b>	<b>Fine</b>	<b>Fine</b>	<b>Lien</b>
	<b>\$50.00</b>	<b>\$75.00</b>	<b>\$100.00</b>	<b>\$250.00</b>	<b>\$525.00</b>	<b>\$1000.00 + any HOA dues that are more than 180 days past due</b>