

BVHOA Policy 2011-003 Approved 10-26-2011
BellaVita at Green Tee Homeowners' Association Compliance Policy

The BellaVita at Green Tee Homeowners' Association was established to protect the value and desirability of real property within BellaVita. In order to protect property values, community wide standards and rules have been established in the Amended and Restated Declarations of Covenants, Conditions, and Restrictions for BellaVita at Green Tee Homeowners' Association, Inc.; the Declaration of Protective Covenants for the Villas Master Association; the Architectural Guidelines for BellaVita at Green Tee Homeowners' Association; and the BellaVita and Green Tee Club BellaVita Rules and Regulations.

Article XII of the Amended and Restated Declarations of Covenants, Conditions, and Restrictions for BellaVita at Green Tee Homeowners' Association, Inc. authorizes the Board of Directors of BellaVita to take actions to ensure that homeowners within BellaVita remain in compliance with the established community-wide standards and rules, including imposing fines, restricting usage of common facilities, and initiating legal actions to obtain injunctive relief.

Although the Board of Directors is responsible for ensuring compliance with community wide standards, it has delegated the administrative and clerical task for that function to Associated Management, Inc. ("AMI"). On a monthly basis, AMI personnel will physically visit the community to observe, record, and monitor readily visible deed restriction violations. AMI will receive and act upon information from Homeowners who report violations that are not easily discovered during AMI's monthly visits. AMI will maintain computerized reports of violations, send notices to owners, and maintain current status of violations. AMI will review the status of violations with the Board of Directors at least monthly and obtain approval for legal actions, in the event that legal actions become necessary.

For a violation that continues from day to day without intervening activity by the homeowner, AMI will take the following steps:

1. An initial notice of the violation shall be mailed via regular mail requesting compliance and/or an ARC application within 30 days and, as a courtesy, no fines will be imposed. AMI will provide a list detailing all initial notices to the BellaVita Homeowners Advocacy Committee. The validity of the violation will be independently verified by the BellaVita Homeowners Advocacy Committee and/or the Architectural Review Committee.
2. If the violation has not been corrected within 30 days and the validity of the violation has been independently verified by the BellaVita Homeowners Advocacy Committee and/or the Architectural Review Committee, a second notice shall be mailed via regular mail and mailed via certified mail, return receipt requested. The second notice will request compliance within 30 days and it will include disclosure that the homeowner may appeal the notice; fines will be imposed effective 30 days after the date of the second notice; and other legal actions may result from non-compliance.
3. AMI shall assess fines for violations as follows:

a. First notice	courtesy, no fine
b. Second notice, if not corrected within 30 days	\$25.00 per day

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4. If the violation has not been corrected within 30 days from the second notice, AMI shall submit the issue to the Board of Directors for consideration of legal action at its next scheduled meeting. AMI shall provide copies of correspondence and other documentation at least 5 days before the meeting so that Directors can familiarize themselves with the violation.

For a violation that consists of single or separate incidents, AMI will take the following steps:

1. An initial notice of the violation shall be mailed via regular mail requesting compliance and, as a courtesy, no fines will be imposed. AMI will provide a list detailing all initial notices to the BellaVita Homeowners Advocacy Committee. The validity of the violation will be independently verified by use of photographs, license plates and the assistance of the BellaVita Homeowners' Advocacy Committee and/or BellaVita Architectural Review Committee.
2. If the violation continues to occur, and the validity of the violation has been independently verified by the BellaVita Homeowners Advocacy Committee and/or the Architectural Review Committee, a second notice will be mailed via regular mail and mailed via certified mail, return receipt requested. The second notice will request immediate compliance and it will include disclosure that that the homeowner may appeal the notice; fines will be imposed on all subsequent occurrences effective 30 days after the date of the second notice; and other legal actions may result from non-compliance.
3. AMI shall assess fines for violations as follows:

a. First notice for the same type of violation	courtesy, no fine
b. Subsequent occurrences, thirty days after second notice of the same type of violation	\$25.00 per day
4. If the violation continues to occur after the second notice has been sent, AMI will submit the issue to the Board of Directors for consideration of legal action at its next scheduled meeting. AMI will provide copies of correspondence and other documentation at least 5 days before the meeting so that Directors can familiarize themselves with the violation.

In the event that a homeowner disagrees with a notice of violation or fines assessed, the homeowner may submit a written appeal to AMI within thirty days from the date of the notice. AMI will review the information and advise the homeowner of its findings in writing within thirty days. In the event that a homeowner is not successful in an appeal to AMI, the homeowner may, within thirty days, submit a written request for an appeal to the Board of Directors. The homeowner may submit a written appeal to the Board of Directors, or request a meeting with the Board of Directors to hear the appeal. The Board of Directors shall vote upon the appeal at one of its next two (2) meetings following receipt of the submission of the written appeal or the meeting with the homeowner. If a homeowner submits a written request for an appeal on a timely basis and the Board decides in favor of the homeowner, fines may be waived. All decisions of the Board of Directors shall be final.