

**RESOLUTION  
REGARDING POLICY AND PROCEDURES  
FOR COVENANT ENFORCEMENT AND FINE POLICY**

**SUBJECT:** Adoption of a policy and procedure regarding covenant enforcement and fine policy.

**PURPOSE:** To establish a Covenant Enforcement and Fine Policy

**AUTHORITY:** The Declaration, Bylaws and Articles of Incorporation of the Association and Colorado law.

**EFFECTIVE  
DATE:** September 1, 2007

**RESOLUTION:** The Association hereby adopts the following covenant violation and fine policy

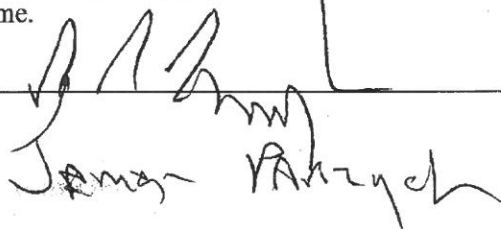
1. Covenant Violation and Fine Procedures
  - A) When a violation of the governing documents of the association is observed, or reported, the Association shall send a perceived violation notice to the homeowner with the following information:
    1. Description of the violation.
    2. Date the violation was observed or reported.
    3. Date by which violation must be corrected.
    4. State the amount of the fine if the violation is not corrected.
    5. State the homeowner is entitled to a hearing regarding the perceived violation if a written request for such a hearing is submitted in writing within 10 days of the date of the letter.
  - B) If the homeowner remains in violation and does not request a hearing the Association shall assess a \$50 fine on the homeowners account and send the homeowner the following information:
    1. Notification of the fine and a new deadline to correct the violation.
    2. The homeowner will also be given notice that the next fine will be \$100.
    3. State that if the violation is not corrected by the new deadline it will be turned over to the Association Attorney for enforcement.
    4. State the homeowner is entitled to a hearing regarding the violation if a written request for such a hearing is submitted in writing within 10 days of the date of the letter.
  - C) If a homeowner requests a hearing and fails to appear at the time the Association has scheduled, the board may unilaterally make a decision with respect to the alleged violation based upon available information.

- D) The board may elect to levy a \$10/day penalty once they have found a violation exists and the deadline for correction has expired and the violation continues.
- E) The board may waive all or any portion of a fine in its sole discretion. Any such waiver will be considered on a case by case basis.
- F) All violations which fall under the enforcement guidelines of other entities such as the city or police shall have first priority, but non-action on their part does not mean the Association will not take action on an alleged violation.
- G) Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
- H) Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
- I) Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
- J) Amendment. This Policy may be amended at any time by the Board of Directors.

**PRESIDENT'S**

**CERTIFICATION:** The undersigned, being the President of Cortina Condominium Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on 13 APRIL 2010, and in witness thereof, the undersigned has subscribed his/her name.

By: \_\_\_\_\_  
President

  
James Arzych