

West Highlands HOA Fine Schedule

Introduction

The fee structure is built to standardize the issuance of fees among West Highland homeowners who violate community covenants and rules and regulations. The structure balances deterrence with tolerance. Some violations will begin with a formal warning that does not carry a fine and will result in fines if the violation is not rectified within a specified time period. Other violations will result in immediate fines, imposed on a one-time, periodic or daily basis, levied against the Owner and his/her Lot. In extreme cases, the Association reserves the right to levy fines in excess of the amounts listed below, depending on the severity of the infraction and/or whether the Owner is a repeat offender of the same violation. The Association also reserves the right to amend, change, or modify the below fine schedule from time to time, upon notice to its members. Homeowners are responsible for being familiar with all of the Association's governing documents, which are published on the [West Highlands website](#).

The Fine Schedule

Category	Warning Letter	Resolution Period	Fee Amount 1 & Letter	Resolution Period	Fee Amount 2 and ongoing & Letter
Parking	No	-	Booted or Towed	-	-
Unauthorized Vehicle	Ticket and/or Letter	24 hours if stickered 7 days if letter	\$25	5 days	\$50/wk Possible Tow
Property Compliance	-	-	-	-	-
Paint/Stain Change to fence/door/shutters	No	-	\$500	30 days	\$100/mo
Paint/Stain Change to house	No	-	\$2,000	30 days	\$500/mo
Structures Add/Change	No	-	\$2,000	30 days	\$500/mo
General Upkeep & Maintenance	Yes	30 days	\$50	30 days	\$50/mo, \$150/mo, \$300/mo, \$25/day
Severe Upkeep/Maintenance and all other Maintenance	No	Immediately	\$50	Immediately	\$50/day
Communal Space & Pets	No	-	\$50	-	-
Rental Violations	Yes	14 days	\$50	30 days	\$50/wk

Transient Rentals (ex: Airbnb)	No	-	\$500 for posting \$1,000 for rental	7 days	\$500 for posting \$1,000 for rental
Imminent Danger	Case by Case				

If a violation warrants a warning, the Association’s management company will send a warning letter to the Owner/violator. If the issue is not resolved in the allotted time in accordance with the notice, a fine will be issued and a subsequent letter will be sent along with the fine amount. If the issue remains unresolved, the Association may forward the matter to its attorney to commence legal proceedings.

For fines with an initial amount of \$500 or greater, the Association may choose to immediately turn over the matter to its legal counsel to address. The violating Owner will be responsible for any and all legal fees incurred by the Association as a result of the violation.

In addition to the above, in the event of a maintenance violation, the Declaration grants the Association, after proper notice, the authority to enter into an Owner’s Lot, and take all necessary maintenance, repair and replacement measures to bring the Lot back into compliance. Any and all fees and expenses incurred by the Association in exercising such right of abatement, shall be specifically assessed against the violating Owner. These fees may include, without limitation, costs in hiring a contractor to perform the needed repairs, expenses incurred in hiring a consultant or inspector to verify the existence of violation and any legal fees necessitated by the Owner’s actions. All such fees shall constitute a lien against the property until they have been paid in full.

Definition of Infractions

The Association’s governing documents, including, without limitation, the Declaration, Bylaws, Design Standards and rules and regulations are published on the [West Highlands website](#) across a variety of documents, hyperlinked below. In the following sections the various violations are outlined in more depth. The examples below are not exhaustive. The most common examples of violations are provided for reference. In situations that are unique but still in violation of the covenants, the board reserves the right to determine the follow up actions and possible fines.

Parking & Unauthorized Vehicles

- [West Highlands Parking Rules and Regulations](#)
- [Declaration of Covenants, Conditions, Restrictions, and Easements for West Highlands at Perry Boulevard Subdivision](#) Exhibit D, Section X, Page 39

Examples:

- Automobile parked on grass or in alley

- Automobile parked in No Parking zones
Automobile in parked in public view (on street or in driveway) with expired tags
- Inoperable/undrivable automobile parked in public view (on street or in driveway) on property
- Vehicle parked on street for more than 24 hours without moving
- Car up on jack stands/taken apart in driveway for more than a day

Property Compliance

One of the main reasons Homeowner associations have rules regarding property maintenance and changes to the exterior of the house is to protect and preserve the property values of all homes within the community.

Article 5 addresses the homeowner's requirements for properly maintaining the home, yard and driveways. Article 11 as well as Exhibit D addresses many of the regulations regarding Property improvements or changes specifically section 4, 16, 19, 21-30. These sections cover potential alterations to the exterior of a home including but not limited to painting/staining of the house, doors or shutters, addition of storm doors, construction of patios, decks, or any other physical structures attached to the home or on the property, assembly of temporary structures left up more than just a few days, installation of antennas, satellite dishes, or AC window units, changes or additions of lighting, visible window treatments and other modifications. Pursuant to the covenants and the governing document, prior to making any exterior change to the home an ACC change request must be submitted and receive approval prior to the change being started. Failure to do so will result in fines and potentially a requirement to remove or return to the property to its previous state.

It is the responsibility of each homeowner to appropriately maintain their house and property. While the community has inspections conducted at regular intervals, additional inspections may occur at any time to ensure the standards of the community are being maintained.

The Links/Documents listed below should be reviewed and followed prior to submission of an ACC change request.

- [West Highlands Design Guidelines](#)
- [West Highlands Homeowners Grounds Standards Checklist](#)
- [West Highlands Home Owner's Association Compliance Log](#)
- [Declaration of Covenants, Conditions, Restrictions, and Easements for West Highlands at Perry Boulevard Subdivision](#)

Communal Space & Pets

As a community, we take pride in our communal areas, such as green spaces, playgrounds, and walkways that are available for everyone's enjoyment. In the interest of maintaining clean, manicured, and well maintained communal spaces, West Highlands residents should pick up after themselves and their pet, not litter, not trample on flowerbeds, and not damage or destroy

community property. Dogs are required to be on leash at all times outside the home or a fenced yard. This is also state law. To learn more about our pet policy, visit Exhibit D, Section 9 of our [Declaration of Covenants, Conditions, Restrictions, and Easements for West Highlands at Perry Boulevard Subdivision](#).

Rental & Transient Rental Violations

West Highlands is intended to be a residential neighborhood. Rentals are permitted with restrictions: 1 year leases at a minimum are required on all rental units. Renters are expected to follow all the HOA rules and homeowners will be fined for violations committed by their tenants. Fees will be incurred for tenants who violate the HOA rules, create a nuisance to the neighbors, who interfere or are act in a threatening manner to persons hired on behalf of the community (security, contractors, etc.)

Transient or short-term rentals (such as through AirBNB) are not permitted. A short-term rental is any rental with an initial term of less than 12 months. Fees will be incurred for posting on websites offering this type of service whether or not the unit is ever rented. Additional fees will occur if the unit is rented.

- [Declaration of Covenants, Conditions, Restrictions, and Easements for West Highlands at Perry Boulevard Subdivision](#) Exhibit D, Section 2, Page 36

Imminent Danger

It is important that our community is a safe place for all residents. As a homeowner, you are responsible for ensuring that your property is free from any threat of harm and does not pose any danger to anyone in the community. Examples of imminent danger include, but are not limited to, leaning trees on your property, trip hazards on your property (i.e. gaps/ cracks in the cement greater than an inch, items on or across sidewalks or walkways), fire hazards, illegally firing a weapon (i.e. discharging a gun in the air), etc. Please refer to the Declaration of Covenants for specific adherence guidelines.

- [Declaration of Covenants, Conditions, Restrictions, and Easements for West Highlands at Perry Boulevard Subdivision](#) Exhibit D, Section 20

Rules

- Any resident who lodges a complaint against a homeowner should include some sort of proof (ex: photo, video, inspection report, URL, screenshot, etc) in support of the allegation.
- Multiple infractions within the same category assessed within a rolling 12 months will compound and may result in additional or increased fines, above and beyond what is listed hereinabove.
- Timelines are based off of the date of the letter sent by Management and dates from any subsequent communications.
- Fines may be assessed on a case by case basis, and failure to impose a fine in one instance, shall not constitute a waiver of the Board's authority to levy a fine in the future.

- To properly abate a violation, the Owner must notify and provide supporting statements or documents showing, to the Association's satisfaction, that the matter has been resolved. If an Owner needs additional time to rectify a violation, they are responsible for notifying the property manager to request additional time.

Violation Reporting Process

1. **Reporting.** To assist the Association in its investigation and verification of a violation, the individual who reports a violation against a homeowner should provide as much information as possible, including, without limitation, the date and a description of the violation, the name or address of the homeowner, and some form of proof, (ex: photo, video, screenshot, URL, etc).
2. **Response.** The homeowner is ultimately responsible, on behalf of all occupants, tenants and guests, to resolve all violations, and should do so within the stated time period. All Owners have a right to request a hearing before the Board to appeal the violation or the fines to be imposed. Requesting a hearing may result in, but does not obligate the Association to, suspend or hold off on the imposition of fines.
3. **Receiving.** The West Highlands property management company is responsible for receiving complaints, issuing warnings and fines according to the fine structure and process outlined in this document, keeping track of incidents and accounts, escalating concerns to the Board, and supplying timelines and document copies to the board ahead of an appeals meeting.
4. **Appeals.** The Appeals Panel will hear homeowner appeals quarterly and make timely decisions on whether a violation is warranted or not. The Standards Committee will have a representative at each Appeals panel.
5. **Ongoing.** The Board will conduct a periodic review of its violation and fining procedures and edit this document as it deems necessary. Residents will be notified of any updates to this document and changes will be effective 30 days after the communication date.

Letters from Sentry Management

Letters from Sentry Management should include the following information. If an email address for the resident is on file, Sentry Management will also send an email.

- Date of letter
- Date of violation
- Description of the violation
- Violation category
- Action needed to abate the violation
- Fine amount(s)
- Instructions on how to appeal the violation and fines

Appeals

- Appeal Hearings will typically be held quarterly. The Association will notify the Owner of the date, time and place in a timely manner.
- The Appeals Panel will consist of:
 - 2 members of the Board
 - 3 members of WeHi committees