

# Rock Springs Farms Home Owners Association

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*Resolution: In order to enforce restrictions of the community for a more uniform neighborhood appearance and the protection of the property values in Rock Springs Farms Homeowners Association, the following fining policy for infractions of the governing documents have been adopted by the Rock Springs Farms Homeowner's Association Board of Directors and will be enforced as outlined:*

Approval Date: March 5, 2020

Effective Date: April 15, 2020

Date Last Reviewed: March 5, 2020

## **Enforcement of Governing Documents**

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- I. Scope: Pursuant to the provisions of the Covenants, Conditions and Restrictions for Rock Springs Farms Homeowner's Association which provisions authorize the Board of Directors to enforce restriction violations by way Item V.GENERAL PROVISIONS, Section 1, as outlined in Section III below:
- II. Enforcement:
  - a. Homeowner/lot owner/tenant will be sent a first violation/friendly reminder outlining the violation and allowing a maximum of thirty (30) days to correct.
  - b. Should the correction of the violation not be possible within the time frame allowed or the violation is disputed by the owner, the owner may send a written letter with any and all corresponding documentation, within ten (10) days from the date of the letter to the Board of Directors asking for an extension due to the current circumstances, or reasoning that the violation is being disputed. The Board or its authorized agent will respond with the determination of the Board within ten (10) days of the receipt of the extension request.
  - c. If the violation is not corrected within the stated time allowed, the homeowner/lot owner/tenant will be sent a second letter allowing ten (10) days to correct. The letter will advise that starting on the 11<sup>th</sup> day following the second letter, a fine of \$25.00 per day (not to exceed \$1,000 per violation) will be charged against their account until the violation is corrected.

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- d. Upon an owner's failure to comply within forty-five (45) days, the Association may act as necessary to remedy therewith, and the owner shall immediately upon demand, reimburse the association or other performing party all expenses incurred in so doing, which may be inclusive of, but not limited to, reasonable attorney's fees and costs in enforcing.
- e. Any unpaid fine shall constitute a lien. The homeowner/lot owner shall be responsible for all costs of collections, including attorney fees and costs of the unpaid fine.

**III. Covenants, Conditions and Restrictions: V. GENERAL PROVISIONS, Section 1:**

- a. "Enforcement of these restrictions shall be by proceeding the law or in equity, brought by any owner of Developer against any party violating or attempting to violate any covenant or restriction, either to restrain violation, to direct restoration and/or to recover damages. Failure of any owner or Developer to demand or insist upon observance of any of these restrictions, or to proceed for restraint of violations, shall not be deemed a waiver of the violation, or the right to seek enforcement of these restrictions."

**IV. Nothing in this enforcement policy waives or prevents the Association from seeking remedies otherwise allowed by law or in its governing documents.**

**Note: In the case of a violation by a tenant, the letter will be sent to the homeowner. All fines are to be added to the account of the homeowner.**

**Secretary Certification:**

The undersigned, being the Secretary of Rock Springs Farms Homeowners Association, Inc., a Kentucky nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors at a duly called and held meeting of the Board of Directors on March 5, 2020 and in witness thereof, the undersigned has subscribed her name:

By:   
Laura D Keller (Apr 7, 2020)  
Board Secretary

Apr 7, 2020  
Date: \_\_\_\_\_








# 9 - Enforcement of Governing Documents

Final Audit Report

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