

East Lake Condominium Association

BY-LAWS, REGULATIONS AND RULES VIOLATIONS – FINE POLICY

MAY 13, 2015

Pursuant to the authority of New Hampshire RSA 356-B and the Declaration of Condominium and By-Laws of the East Lake Condominium Association [hereinafter referred to as “Association”], the Board of Directors’ [hereinafter referred to as “Board”], hereby adopts the following Rule establishing a Fine Schedule to be imposed by the Board for any Unit Owner’s violation of the Association’s By-Laws, Regulations and/ or Rules. The Owner shall be deemed responsible for such violations whether they occur as a result of Owner’s personal actions or the actions of the Owner’s family, guests or tenants. However, the Board reserves its right to take any additional legal action, as authorized under the By-Laws, which it determines necessary or appropriate, all at the expense of the violating Unit Owner.

SCHEDULE OF FINES FOR violations of East Lake By-Laws, Regulations and Rules:

- 1.) A first violation/offense shall result in a warning letter.
- 2.) A second violation/offense shall result in a \$50.00 fine.
- 3.) A subsequent violation/offense shall result in a fine of not more than \$100.00 for each offense and the Board may direct that legal action be taken to enforce the condominium instruments. The attorneys’ fees and costs of such action will be assessed to the violating unit. Each day a violation remains unabated is a separate violation/offense.
- 4.) All costs incurred by the Association as a result of a violation/offense are the responsibility of the Unit Owner.
- 5.) All fines will continue to accrue.

PROCEDURES

- a. Fine assessment may result from determinations of violations based upon reports by Management, by direct observation by Board members, or by complaints filed with the Board by Unit Owners.
- b. Unit Owners’ complaints of violations must be in writing, directed to the Board and signed by the complaining party. Complaints should state the nature of the violation, the time and place the violation occurred, the facts that give rise to the violation and the unit number, or name or the party violating the By-Law, Regulations and/or Rule. All complaints must contain the name, unit number and telephone number of the complaining party.
- c. Upon receipt of a complaint, the Board shall investigate the complaint to determine whether it is founded. If the Board determines that the complaint is founded, it shall direct that notice be sent to the owner of the unit who committed the violation, or where the violation occurred. This notice will state the date, time and rule violated and request that the owner cease or correct the violation by a Board designated date. This shall constitute a first notice of violation.
- d. While complying in the interim, an owner who wishes to contest any decision or notice shall notify the Board in writing on or before the date stated in c. above. The owner may appear at the next Board meeting to appeal the Board’s decision or notice.
- e. If the owner does not contest the notice and the Board determines that compliance has not occurred and/or there is a repeated violation of the rules, the Board may impose a fine on the offender and may invite the offender to attend the next Board meeting to discuss the violation.

- f. If any violation or fine is contested, the Board shall conduct a hearing of all facts and render a finding in writing and notify the owner of its decision. All fines are considered an assessment against a unit and shall be payable within thirty (30) days after the date of the Board's decision.
- g. The unit owner may, after payment of all fines, appeal any fine or decision of the Board to the entire membership at any annual or special meeting of the Association. A vote of the majority of those in attendance at any meeting held where a quorum is present shall be binding on the Association.

DIRECTORS' AUTHORITY

- 1. To the extent permitted by law and the Association's Declaration and By-Laws, the Board shall have the authority to issue or deny approval of any exception to these Rules. Such approvals shall be in writing and may be for the resolution of temporary problems or situations. Approvals may be revoked at any time.
- 2. The Board shall have the power to waive any provision of the Bylaws or Rules in order to accommodate disabled residents and comply with the provisions of federal and state law.

Adopted by the Board of Directors this 13th day of May, 2015.

Joseph Giordano

Roger Paquin

Cynthia Bagley

RECORDED AT THE SULLIVAN COUNTY REGISTRY OF DEEDS

BOOK - 1943

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