

**REGENCY AT PROVIDENCE COMMUNITY ASSOCIATION**  
**ADMINISTRATIVE RESOLUTION #2**  
**RULES AND REGULATIONS COMPLIANCE AND ENFORCEMENT PROCEDURE**

REVISED April 22, 2021

WHEREAS, Article IX, Section 9.04 of the Declaration creating Regency at Providence Community Association provides for a Board who shall manage business, operation, and affairs of the property; and

WHEREAS, Article XIX, Section 19.01b of the Declaration gives the Board the duty to adopt and amend as well as enforce compliance with the rules and regulations; and

WHEREAS, the Board has adopted and expects to continue to adopt or amend rules and regulations pursuant to the provisions of its legal documents; and

WHEREAS, Section 5302 of the Pennsylvania Uniform Planned Community Act gives the Board the power to impose fines for violations of rules and regulations; and

WHEREAS, the Board has determined that more specific procedures should be outlined to enforce Association rules and regulations;

Be it therefore resolved that:

1. Only written, signed complaints (including email) regarding rules and regulations violations will be considered, and they must be submitted within thirty (30) days of the alleged act, or failure to act, which is the subject of the complaint. The complaint must provide adequate information regarding the date, time, person(s) involved, and location as well as the nature of the violation, citing the regulation involved, in full. Violations observed by a board member or the site manager will be processed as a violation complaint. The Association shall provide written acknowledgement of the complaint to the complainant. If the complaint is deficient, the complainant will be asked to submit a revision meeting the requirements stated above. The Board will address the complaint within thirty (30) days, or as soon after as may be reasonably possible.
2. The management company will have a copy of this resolution, so that implementation and enforcement will be consistent and cooperative with the Association's Board. While the community manager may consult with the Board if necessary, the Board has authorized the community's management company to deal directly with complainants and with those accused of a violation, and to determine if there is sufficient evidence of a violation.
3. If there is sufficient evidence of a violation a notice will be sent to the Owner, describing the violation and, if appropriate, a date by which the violation must be corrected. The letter will also inform the Owner if an immediate fine is being assessed and provide notice that the Board may impose Rules Violation fines for a continuing violation or repeat violations of the same rule or

regulation. The Schedule of Fines is shown in paragraph 11. A copy of this Compliance and Enforcement Procedure Resolution will be included.

4. Should the violation continue or reoccur after the date specified in the first notice, a second notice will be sent, informing the Homeowner that a fine (fines) will be assessed in accordance with the Schedule of Fines, and indicating the effective date of the fine(s).
5. In any instance where a fine is being assessed, the Owner will have an opportunity for a hearing with the Board if the hearing request is received in writing by the Manager within ten days of the date of the notice notifying the Owner of the rules violation and fine.
6. Repeated violations of the rules for the usage of Common Areas may result in the temporary or permanent exclusion of the violator, their household members and guests from any Common Area facility designated by the Board.
7. Owners who lease their homes are responsible for their Tenant’s actions and any resulting fines. If there is a Tenant, a copy of the violation letter and this Compliance and Enforcement Procedure Resolution will be sent to the Tenant as well as the Owner.
8. Failure to address a violation could result in the Association arranging corrective action. In such an event, the Association shall have the right to assess the Unit Owner for the cost of such corrective action.
9. Any fine imposed in accordance with this Compliance and Enforcement Procedure Resolution shall constitute an assessment which is collectable in the same manner as provided for the collection of all other assessments. Accordingly, all legal fees, interest, court costs, and other fees incurred in the collection of a fine shall be the responsibility of the owner.
10. Any decision of the Board following a violation hearing shall be final. A record of each complaint shall be maintained for no less than one year after the Association acts on the complaint. After the final determination is made, notice of such determination will be addressed to the complainant as soon as is reasonably possible. The amount of detail offered by the Board will vary depending on the circumstances and personal level of involvement of the complainant.

11. SCHEDULE OF FINES:

|  | <u>Initial</u> | <u>Continuing<sup>1</sup></u> | <u>Repeat<sup>2</sup></u> |
|--|----------------|-------------------------------|---------------------------|
| Alteration of Common Elements:                   | Notice         | \$100 / week                  | \$100                     |
| Article XV Violation– Leasing of Units:          | Notice         | \$100 - \$1,000 / month       | \$100 - \$1,000           |
| Article XVI Violation– Use Restrictions:         | Notice         | \$25 - \$100 / week           | \$25 - \$100              |
| Article XVII Violation– Occupancy Restrictions:  | Notice         | \$500/ week                   | \$500                     |
| Landscape Maintenance Violation:                 | Notice         | \$50 / week                   | \$50                      |
| Snow Removal Parking Violation:                  | \$50           | -----                         | \$100                     |
| Architectural (Home Exterior) Violation:         | Notice         | \$25 - \$100 / week           | \$25 - \$100              |
| ARC Application Violation <sup>3</sup> :         | \$150          | -----                         | \$150                     |
| Confrontational or Abusive Interpersonal Conduct | Notice         | -----                         | \$25-100.                 |
| Violations of amenities reopening rules          | Notice         | \$50                          | \$100                     |

NOTES:

1. A continuing violation is defined as an ongoing violation which has not been corrected.
2. A repeat violation is defined as a subsequent violation of the same rule or regulation.
3. An ARC application must be submitted and approved before any home exterior changes can be made. If the application is not submitted and approved prior to commencement of work, fines may be imposed from the day work began.
4. The above list is not complete or comprehensive. Other significant violations not listed or specified above may result in reasonable fines up to \$500.00 per week.