

BRIDLERIDGE ENFORCEMENT POLICY RESOLUTION

Preamble and Preliminary Statement

Article of Bridleridge Supplemental Declaration of Covenants and Restriction was duly recorded in the Bucks County Recorder of Deeds Office Book 2690 page 733 on August 7, 1986.

Section 2.01 (a) of the Bridleridge's Supplementary Declaration requires the consent of the Architectural Control Committee before any of the Bridleridge Unit Owners build any addition or structure or alter the height, area or color of any structure within the Bridleridge community.

Section 3.01 of the Bridleridge Supplementary Declaration provides the Association with enforcement authority pursuant to the community documents and law.

The buildings and structures within Bridleridge are aging and/or otherwise in need of repair and special attention of the Architectural Control Committee.

The Village Shires Community deems the following Bridleridge Enforcement Policy (which is binding upon and limited to Bridleridge Units and Homeowners) to be for the common good of Village Shires Community in general and Bridleridge homeowners in particular.

BRIDLERIDGE ENFORCEMENT POLICY

APPROVED BY THE BOARD OF DIRECTORS April 21, 2004, Revised March 14, 2008

Since enforcement of association guidelines, rules and regulations is necessary, the following procedures have been developed for handling violations.

1. **Violation Identified/Initial Notification:** A committee member or the Association manager becomes aware of an alleged violation of the Bridleridge rules. The available information is referred to the appropriate committee chairperson. In addition, a letter is sent via 1st class mail from the association office to the homeowner(s) involved stating that an alleged violation has occurred giving a brief description of the basis for the violation with reference to the relevant rule or regulation regarding the violation and notice that the matter has been referred to the appropriate committee. In cases where one association member has reported the alleged violation, a copy of the letter is referred to the reporting homeowner as well.
2. **Committee Resolution:** The appropriate committee proceeds to review and/or investigate the alleged violation. All pertinent information obtained from the investigation will be presented at the committee meeting. The alleged violating party will have an opportunity at this meeting to argue his/her case, as well as present witnesses on his/her behalf and/or be represented by an attorney. Committee may also have attorney present.

After listening to all pertinent information, the committee may ask the parties involved to leave and may proceed to make a decision regarding the violation. The committee decision may include- dismissal of the alleged violation either as unfounded or due to the homeowners efforts at correction; determination that the homeowner is/was in violation of association rules/guidelines or may also decide to suspend any action against homeowner. Decision shall be made and the member notified in writing within a reasonable amount of time.

If the committee determines that the homeowner has violated the rules/guidelines, the committee may take action including any or all of the following: The imposition of a fine against the homeowner, the suspension of member privileges, the assessment of cost of damages.

The committee will keep accurate records of all violations reported and discussed. The committee chairperson will notify the association manager regarding the committee's decision on each case.

3. **Fines:** The schedule of fines which may be imposed is as follows:

<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>	<u>4th Offense</u>
\$75.00	\$100.00	\$200.00	\$300.00

4. **Notification of Committee Decision:** The association manager will notify the homeowner by letter of the committee's decision within ten (10) days regarding the alleged violation. The homeowner against whom a fine or other sanction has been imposed will have thirty (30) days from notification by letter of that fine or sanction in which to either pay the fine or correct the violation or appeal the committee's decision to the grievance committee.
5. **Appeal:** To appeal the committee's decision, the homeowner must notify the association manager in writing of his/her desire to appeal. The association manager will then refer the request to the grievance committee. In the event of appeal, the enforcement of the fine or sanction will be suspended pending the outcome of the appeal **unless the violation concerns an Unauthorized or Abandoned vehicle. The date an Unauthorized or Abandoned vehicle is to be towed will not be extended due to a violator's intent to appear at a later hearing.** If the homeowner does not file an appeal and does not pay the assessed fine and/or correct the violation, an additional fine will be assessed, in accordance with the fine schedule in item 3, for each month the violation is not corrected. At the end of thirty (30) days, if the fine is not paid or sanction corrected, the committee's case will be referred to the committee chairpersons for additional action.
6. **Grievance Committee:** The grievance committee will be composed of the President or Vice President of the Village Shires Board of Directors and three (3) chairpersons not associated with the committee involved with the violation.

Within 45 days of the date on which the association manager receives the appeal, the grievance committee will meet to hear the appeal. Written notice will be sent to the homeowner giving the time and place of the meeting.

At the time of the appeal, the committee chairperson whose committee made the original determination may present the perspective and opinions of the committee. The homeowner appealing the decision will be able to present his/her case as well as call witnesses and/or be represented by an attorney. The committee may also have an attorney present.

The grievance committee will make a decision to either uphold or reverse the original committee decision. In the case of a tie vote by the grievance committee, the original decision of the committee will stand. The committee chairperson presenting the case against the violator will not vote in the grievance committee's proceedings.

The three chairpersons in the grievance committee shall have the right to vote to have the case further appealed to the Board of Directors.

7. **Notification of Decision:** The homeowner appealing the committee's decision will be notified in writing of the grievance committee's decision within ten (10) days after conclusion of appeal hearing.

If this decision of the grievance committee is to uphold the committee's initial determination, the homeowner will have ten (10) days to pay the assessed fine and/or otherwise comply with the committee's decision.

However, the homeowner may request the Board of Directors to review the decision of the grievance committee. The Board will be under no obligation to further review the decision of the grievance committee.

8. **Referral to the Board of Directors:** If the homeowner refuses to comply with the grievance committee's decision as outlined above, the case will be referred to the Board of Directors. Upon the recommendation of the Board of Directors, the case will be referred to the association's attorney for appropriate legal action. The homeowner will be advised that in addition to the sanction imposed by the community, each homeowner shall be responsible for, in addition to the fines and sanctions imposed by the community association, all expenses incurred by the association, including but not limited to, legal costs, attorney's fees, and any other fee or cost incurred by the association in seeking compliance with its decisions, rules and regulations, and assessment policies.

The Board of Directors, at their discretion, may function as a review board to examine the records regarding the case and to endorse or reverse the decision of the grievance committee. The homeowner will be notified in writing of the Board's decision.

EXAMPLE

9. **General types of Violations and their respective Committees**

Covenants, Conditions & Restrictions Violations

- Failure to submit a lease

Architectural Control Committee Violations

- Installation of exterior antenna
- Failure to maintain yard or structure in any way that conflicts with Bridleridge Rules and ACC Guidelines document.
- Failure to submit ACC request form for change
- Clothes trees, poles and lines.
- Failure to maintain outside structures
- Failure to maintain sidewalk where trip hazards have occurred or sidewalk is badly spalled
- Non-conforming fence (height, color, type, size).
- Wrong color of doors, trim and outside structures.
- Doors, trim and/or other outside structure in need of paint
- Unapproved installation of swing sets, slides, or other recreational structure or apparatus.
- Unapproved shed or other structure
- Improper placement of shed or outside structure
- Forbidden installations such as basketball backboard, window A/C, Windmill, lattice etc.
- Dumping of yard waste or other materials on common area
- Failure to maintain sidewalks, steps or railings

Maintenance Committee Violations

- Abandoned vehicles- cost of towing and storage plus any other charges or fines.
- Unauthorized vehicles-cost of towing and storage plus any other charges or fines.
- Violations of the Bridleridge Parking Rules as they are defined in Section 18
- Parking on a township street when the snow has reached a depth of 4 inches or more.
- Parking on an Association street when the snow has reached a depth of 2 inches or more and either the township or the Association, as the case may be, is engaged in snow removal operations. This regulation is in effect for a period not exceeding 72 hours after cessation of the snowfall.
- All trash is to be in covered cans or plastic trash bags. Trash in paper bags and untied or unbagged newspapers are prohibited. Trash and trash containers are to be put at curbside not before 6pm on the day before scheduled pick-up. All trash containers must be removed from curbside and properly stored out of sight no later than 8am the day following the pick-up day.
- Trash cans visible from the street when they should be stored out of sight
- Unauthorized storage of items on porch
- Yard cluttered with debris or personal belongings
- Motor vehicles on common ground
- Disregarding Pet Policy.
- Cutting down a tree on common ground
- Unapproved plantings of any kind that are done on common ground.

Recreation Committee Violations

- Riding and use of skate boards, roller skates and bicycles on tennis courts
- Damaging recreation and pool facilities.
- Breaking into pool area.
- Breaking into clubhouse.
- Unauthorized use of clubhouse.
- Defecating in pool.
- Use of smoke machine in party room.
- Skateboards or bicycles on any common ground steps or other inclines are prohibited for safety reasons.

In general, the fines for property damage will be categorized as follows:

<u>Total amount of damage</u>	<u>Fine for damage</u>
Less than \$100.00	\$100.00
\$100 - \$200	\$200.00
Greater than \$200.00	\$500.00
Damages that exceed \$500.00	Amount of the damage plus any additional fines as approved by the VSCA Executive Board

All fines and other costs charged in connection with this enforcement policy shall be collected in the same manner as the collection of assessments.

10. Enforcement Procedures for Parking and Vehicle Related Violations

Vehicles in Violation of the Bridleridge Parking and Vehicle Regulations, as they are defined in the Bridleridge Rules and ACC Guidelines Document, will be tagged with a sticker on their windshield, which will state the following information:

- a. cite the rule that the violation violates
- b. that the vehicle will be towed in seven (7) days if the violation has not been cured or the vehicle has not been removed from the Bridleridge Community.
- c. will provide Notice of the date when the Executive Board will meet.

Once a vehicle has been violated for a specific offense and the seven (7) day towing notification has expired, if the vehicle reappears in Bridleridge in the same calendar year for the same offense, it is subject to immediate towing whether or not towing already occurred for the original offense, as proper notice is deemed to have already been provided. No additional notification is required.

Notice of the date when the Executive Board will next meet will be provided on the violation sticker so that the violator can appear at a hearing if so desired. The violator and/or Unit Owner has the right to appear at the hearing in person and/or through legal counsel to contest the violation and to present any relevant evidence as to whether the violation charged has occurred and/or has been corrected. **The date a vehicle will be towed is not extended due to the violator's intent to appear at a later hearing.** The person charged with a violation and/or the Unit Owner shall advise the Executive Board through the office of the Property Manager of his or her intention to appear and contest the violation and/or towing. Notice of intention to appear shall occur not less than three (3) business days prior to the date scheduled for the hearing.

The Executive Board shall determine at that scheduled hearing whether or not the violation occurred and what, if any, additional corrective actions need to be taken.

The decision of the Executive Board shall be communicated to the Unit Owner who attended the hearing within ten (10) days after the conclusion of the hearing. Notice of the decision of the Executive Board shall be given by regular and/or certified mail. If sent certified, failure to accept delivery shall not effect any of the time periods provided herein.

11. For further Grievance Procedure information see VSCA By-Laws Article IX Section 6

RESOLVED AND ENACTED by the *Executive Board of Village Shires Community Association* this 19st day of March 2008.