



CC&R COMPLIANCE INFRACTION POLICY

All members of our neighborhood have acknowledged and, by acceptance of a deed to their homes, have agreed to abide by the CC&R's. However, deviations do occur and may be handled according to the following enforcement policy, adopted by the Laguna Pointe HOA Board of Directors upon its discretion effective October 1, 2017.

The Association shall have the right to enforce, by any proceedings at law or in equity, all Covenants, Conditions and Restrictions imposed by the provisions of the Laguna Pointe CC&Rs as well as the Architectural Design Guidelines. No part of this policy shall affect any statute, rule, covenant, bylaw, provision or clause that may allow for the recovery of attorney's fees.

HOA CC&R Enforcement Policy

Development Services, Inc. performs regular drive throughs in the subdivision. Violations are recorded when first noticed or reported. After verification that a deviation has occurred, the following process will be followed.

1. **1st NOTICE** - Homeowner will receive a friendly reminder notice to remedy the violation.
2. **2nd NOTICE** - Homeowner will receive a second notice to remedy the violation.
3. **3rd/FINAL NOTICE** - Homeowner will receive a certified demand letter to remedy CC&R violation(s). Homeowner will be assessed all costs associated with preparing the letter including any possible attorney fees and/or management fees, plus postage.
4. **CORRECTIVE ACTION** - If the homeowner fails to remedy CC&R violation(s) by the stated deadline in the demand letter, the Board will pursue its options for Corrective Action and may enact the following action(s) upon review of the violation(s):
 - A) The issue will be turned over to an attorney by the HOA. All associated costs will be assessed to the homeowner.
 - B) The property owner may also be subject to specific corrective action which includes a management fee of 25% of the total cost of corrective action plus applicable attorney fees (if any). Article V, Section 5.17(g) of the Master Declaration grants the Association authority to enter upon a Lot to perform Corrective Maintenance in the event an Owner shall fail or refuse to perform its maintenance or repair obligations within fifteen (15) days of written request for such action. The Owner of the offending Lot shall be personally liable, and such Owner's Lot may be subject to a mechanic's lien for all costs and expenses incurred by the Association in taking such corrective action, plus all costs incurred in collecting the amounts due. The cost incurred by the Association in performing such maintenance or repairs, together with interest thereon from the date of expenditure at an annual rate of 15%, shall be added to and become part of the assessment to which such Owner's Lot is subject.

As with all aspects of the CC&Rs it is the property owner's responsibility to ensure compliance from whoever occupies the home. Renter violations will be addressed to the property owner per the CC&Rs.

****NOTE: The Board reserves the right to alter this procedure for severe or repeat infractions.**

To report infractions please provide a photo showing the property and infraction, as well as the address and a description of the infraction to the Associations management company at Shurie@dev-services.com, or at the address below.