


BELMAR
ESTATES COMMUNITY ASSOCIATION

CC&R ENFORCEMENT 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 should be handled per the following enforcement policy, adopted by the Belmar Estates Community Association's Board upon its discretion, effective January 1, 2017.

The authority to grant such policy is pursuant to Articles 2.5, 9.6, and 14.7 of the Belmar Estates CC&Rs. The policy is made to comply with the Idaho Statute Chapter 1, Title 55, Section 55-115 effective July 1, 2014. 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

Complaints or notification regarding apparent deviations from the CC&R's should be sent in writing to Development Services, Inc. Development Services, Inc. performs regular drive throughs in the subdivision. Violations are recorded when first noticed or reported. If present on a subsequent inspection, or after verification that a deviation has occurred if a complaint is received, the following process will be followed. Personal emergency, health, employment, financial and other factors will be considered.

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 30-day demand letter to remedy the 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.

**** This notice will include the date, time and location of a Board hearing after the 30-day period regarding the action to be taken for non-compliance if the infraction is not resolved prior to that time, in compliance with Idaho Statute requirements. All related hearing costs are charged to the member's homeowner's assessment account.**

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 10% of the total cost of corrective action plus applicable attorney fees (if any) associated with the CC&R compliance, as allowed under Articles 9.6 and 14.7.

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 Article 14.5.

We look forward to working with all of you in making Belmar Estates Subdivision an enjoyable place to live!

Buyer's Initial(s)