



**Board of Directors
Policy Statement**

<p>Citation Reference: RCW 64.38.020(11) CC&Rs - Various sections</p>	<p>Policy: CC&Rs Enforcement and Fines</p>
<p>Effective Date: 03/19/2018</p>	<p>Date of Execution: 03/19/2018</p>
<p>Purpose and Background:</p>	<p>Washington State law allows HOAs to levy reasonable fines for purposes of CC&R enforcement. In response to resident's concerns, with guidance from our legal counsel and examples from similar communities, and in accordance with the Revised Code of Washington, Section 64.38.020, the Lacamas Shores HOA's Board of Directors has developed the enclosed fine schedule and policy for enforcing and addressing LSHOA CC&R violations.</p> <p>It has been the LSHOA Board's policy to not police the community looking for CC&R violations. However, when one is brought to the attention of the Board by a member, it is obligated to consider the complaint.</p> <p>There are some parts of our CC&Rs that are open to interpretation and others that are definitive. This fine schedule attempts to address common issues where our CC&Rs are clear and where the HOA receives the most complaints.</p> <p>The clear majority of our community consistently abides by our CC&Rs, but members have expressed frustration in situations where a neighbor does not abide by the rules, and they look to the HOA for resolution.</p> <p>The goal of implementing this policy is to encourage residents to abide by the CC&Rs and quickly correct violations. As allowed by the Revised Code of Washington [RCW 64.38.020 (11)] and the Covenants, Conditions and Restrictions of the Lacamas Shores Homeowners' Association Section 5.36, this Enforcement Procedures and Fine Schedule was adopted by the Board of Directors at the June 30, 2015 meeting and became effective August 1, 2015. The policy was amended at the March 19, 2018 meeting and became effective that same date.</p>
<p>Authority:</p>	<p>Washington State law allows HOAs to levy reasonable fines for purposes of CC&R enforcement. In response to resident's concerns, with guidance from our legal counsel and examples from similar communities, and in accordance with the Revised Code of Washington, Section 64.38.020(11), the LSHOA Board has developed the enclosed fine policy and schedule for enforcing and addressing LSHOA CC&R violations.</p> <p>This policy is complaint-driven. There are not the volunteer hours available nor the community desire to address every possible violation of every CC&R section. However, it is the responsibility of every Homeowner to comply with all CC&Rs to the extent possible.</p>

<p>Policy and Procedures:</p>	<p>1) Upon identification of a violation of the CC&Rs or rules & regulations by an HOA member, through the appropriate Association Committee or empowered entity, or by the Board of Directors, an effort will be made to communicate directly with the Homeowner to provide a friendly verbal reminder and discuss the violation and possible resolution.</p> <p>2) If a quick resolution is not foreseeable, or a verbal reminder is not practically attainable, a written notice will be sent by certified mail describing the applicable CC&R section, the action/condition violating that section, the applicable fine and date of levy if not remedied, and the remedy needed. Written notification will require the Homeowner to:</p> <ol style="list-style-type: none"> 1. Correct the violation within the applicable remediation timeframe, 2. Respond with a schedule for corrective action during that timeframe, or 3. Respond with a request for a hearing within 30 days, per Section 5.26. <p>The remediation timeframe is 30 days for maintenance issues (per Section 5.26), 7 days for 48-hour issues, or longer as determined by the Board's discretion for other issues.</p> <p>3) Upon expiration of the initial 30-day period with no response by the Homeowner, a billing statement will be mailed notifying the Homeowner of the applicable fines levied.</p> <p>4) Compliance schedules submitted within the original 30-day window that have reasonable timeframes and are approved by the Board, will not be subject to a fine.</p> <p>5) Repeat violations may not be given the friendly reminder and shall be assessed at double the previous fine level.</p> <p>6) Fines will be imposed as noted in the fine schedule (attached as Exhibit A) after notice and the opportunity for a hearing. All fines are subject to the hearing process described below. If the Board finds that a violation exists, the fine is retroactive to the date written notification of the violation was first received or delivered (whichever date was first). If the Board determines there is not a violation, the fine is dismissed.</p> <p>7) Failure to pay a fine can result in additional fines per the schedule and/or the Annual Assessment Policy, as well as a continuing lien on the property.</p> <p>8) This policy does not waive the HOA's right to litigation or other action, if necessary.</p> <p><u>Hearing Process:</u></p> <p>a. If a Homeowner does not agree with the issue or violation, or previous resolution proposals, the Homeowner may file a request for a hearing before the Board with supporting documentation or evidence within 30 (thirty) days of the notice of violation. CC&R § 5.26</p> <p>b. The Board will consider the documents, evidence and any testimony at a regularly scheduled Board Meeting in Executive Session. The Homeowner may be present during such presentations.</p>
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	<p>c. The Board of Directors of the HOA will make a final decision following the hearing and in confidential deliberation. If the Board of Directors concludes that a violation exists, a fine will be levied. All Board decisions shall be made during regular session Board Meetings.</p>
<p>FAQ's</p>	<p>Q: How were the items on the fine schedule determined? A: The Lacamas Shores HOA Board studied policies in similar communities nearby, studied the CC&Rs, and sought input from our attorney to identify those violations that were clearly defined in the CC&Rs.</p> <p>Q: Why was a fine schedule created? A: To administer the CC&Rs uniformly and fairly throughout the neighborhood, we must have a documented and enforceable process. The objective was to ensure that our Lacamas Shores neighborhood consistently maintains a high level of "quality and character" in accordance with the legal purpose of our HOA.</p> <p>Q: How do I get a copy of the Lacamas Shores CC&Rs? A: You can find a copy of our CC&Rs on the official HOA website, www.lacamasshoreshoa.org. A copy should have been provided to you at closing. As each homeowner purchases property in Lacamas Shores, the closing papers that we all sign inform the buyer that Lacamas Shores is a covenanted community and the homeowner agrees to and is responsible for knowing and abiding by these covenants. This means that we all agreed individually to abide by the legal contract called our CC&Rs.</p> <p>Q: How were the Lacamas Shores covenants developed? A: The CC&Rs were written by the developer of Lacamas Shores to define some of the expectations and processes of the community. The Declaration of Covenants, Conditions & Restrictions is a legal document filed with Clark County.</p> <p>Q: How can the CC&Rs be revised? A: Changes to the Covenants require approval by 75% of all Homeowners in good standing. Our community was incorporated in 1988, and to date the CC&Rs have not been amended.</p> <p>Q: I'm not sure if something I want to do to my residence or property complies with our CC&Rs. What should I do? A: Start by reading the CC&Rs and if you still aren't sure, just ask! Send an email to board@lacamasshoreshoa.com and one of our Board/Committee volunteers will get back with you.</p> <p>Q: What if I've been assessed a fine that I don't think is fair. Do I need to pay it? A: Yes. But, if you question the appropriateness of the fine you should file an appeal and request a hearing as outlined in the "Procedure" section above. That will give you an opportunity to present an explanation of why you don't believe you're in violation. If the appeal is accepted, the fine will not be due. If denied, the fine will be applied from the day notice was first given.</p>

	<p>Q: What happens if I receive notice of the same violation a second time (e.g., parking a boat in my driveway for more than 48 hours)? A: Friendly reminders will not be given for repeat offenses, and the amount of the fine owed will be doubled. Please be sure to read the fine schedule carefully for full details.</p> <p>Q: What happens if a fine is owed and not paid? A: If you fail to pay a fine, a continuing lien can be placed on your property for the amount owed. Fines will continue to accrue, including late fees, until the violation has been corrected.</p> <p>Q: What should I do if I see that my neighbor has a violation? A: The hope of the Board is that having a friendly chat with your neighbor is all it will take to remind them that they're in violation of the rules. Any Homeowner can take on the duty of helping another notice what they might have missed. If that doesn't work, please contact the Board to file an official complaint (see the Homeowner Complaint Form) and the enforcement procedures will be followed, if necessary.</p>
Notes:	This Policy supersedes all prior policies relating to enforcement and/or fines, other than the Annual Assessment Policy.

FINE SCHEDULE

- All fines are weekly unless otherwise indicated or in case of repeat violations, as determined at the Board of Directors' discretion.
- Note that many violations relate to lack of prior approval.
- Regular and/or routine maintenance of your property without change in coloring, materials, planting replacements, removal of dead plants, trimming, etc. do not require HOA approval.
- Please read over the CC&Rs yourself and feel free to ask the ALCC or the Board if you have questions.
- Items/situations that must be corrected may have reoccurring monthly fees levied until corrected, with a maximum of 6 cycles except as noted.
- In cases of overlapping section violations, it is at the Board's discretion to apply fines in a reasonable manner.

CC&R Section Number, Title and Reference ¹	Fine	Notes
§4.9 Effect of Non-Payment of Assessments: Remedies of the Association	Per "Annual Fee Policy"	
§5.3 Model Home – No residing in temporary structures	\$300	See also 5.5

¹ The "reference" information is for ease of use only. Homeowners must refer to the CC&Rs for the specifics of each violation.

CC&R Section Number, Title and Reference ¹	Fine	Notes
§5.4 Utilities – Need ALCC approval before getting a permit.	See 5.14	
§5.5 Alterations and Additions: Temporary Structures – Includes “exterior alterations” or temporary “living quarters”	See 5.3	
§5.6 Yard Requirements: Fences, Hedges, Walls and Gates – includes structures. References vision for driveways and tree removal.	\$150	References § 5.14 See also 5.13
§5.7 Animals	\$50	
§5.8 Signs	\$150	Signs will be removed.
§5.9 Use of Property – (Conducting business, installation of flag poles, radio or TV antennae or satellite dishes, rotary beams, separate towers, or structures detached from the building. No offensive activity, public disturbances, aesthetic burden)	\$150	References “Clark County Chapter 9.14 et seq., and similar ordinance of the City of Camas . . .”
§5.10 Landscape and Maintenance - Failure to maintain “neat orderly and trimmed”, new landscaping completion timeframes, view obstruction, preferred plantings	\$150	See also 4.15 – “Option to Remedy Violations” See also 5.24
§5.11 Easements – Interference, drainage patterns	\$150	
§5.12 Occupancy of Residential Units – occupancy other than members requires approval	\$150	Applies to renters. See also 5.38
§5.13 Roofs, Exterior Paint Color, and Trees – Materials, colors, tree ² removal or damage (Homeowners’ property), exterior alterations or additions	\$500	See also 5.6 Fine assessed per tree or incident.
§5.14 Architectural Control – no structure or landscaping “shall be commenced, erected or maintained” nor shall any addition change or alteration be made without submission to the ALCC for approval. (new building and respective landscaping)	\$500	Submit approval request form and sign Building Agreement.

² A “significant tree” in Camas is an evergreen tree eight inches dbh (diameter at breast height, i.e., 4.5 feet above ground), or a deciduous tree, other than red alder or cottonwood, twelve inches dbh. CMC 18.03.050. The WAC 352-28-010 defines it as greater than 10 inches dbh.

CC&R Section Number, Title and Reference¹	Fine	Notes
§5.14 Architectural Control – Including unapproved construction modifications, “structure of any type, or landscaping” and all other 5.14 violations, such as legal compliance, setbacks, architect registration, etc.	\$150	Submit approval request form. May reference 5.5
§5.15 Lots Sold to Builders – construction and landscaping deadlines	\$500	Unless waiver is obtained (§5.16)
§5.17 Individual Docks Prohibited	\$500	
§5.18 Compliance with Shoreline Master, Conditional Use Permit, and Substantial Development Permit	\$500	
§5.19 Vehicle Parking – exception for “an occasional vehicle belonging to a guest”	\$50 daily	Levied no more than a maximum of \$1000 per 30-day period.
§5.20 Water Supply	\$500	
§5.21 Subdivision of Lots	\$500	Commences upon subdivision
§5.22 Sewage Disposal	\$500	
§5.23 Trash	\$50	
§5.24 Maintenance – requires “clean and attractive condition, in good repair”	See 5.10	
§5.25 Damage Liability – failure to repair or pay for repairs	\$150	
§5.29 Building Limits – local building codes	See 5.14	
§5.31 Clotheslines	\$50	
5.33 Square Footage Minimums – includes story requirements	See 5.14	Should be during approval process
5.34 Excavation and Ditching – Around “springs and/or creeks”	\$150	
§5.38 Selling and Leasing Homes – must have dues/fees paid	See 5.12	
Release of access code, security devices (e.g. card key), or keys to realtors, construction contractors, landscapers, subcontractors, tradesmen or agents of the above listed.	\$150	
Excessive trash during construction	\$150	