



**Board of Directors  
Policy Statement**

Citation Reference: CC&Rs - Various sections	Policy: <u>CC&amp;Rs</u> Enforcement and Fines
Effective Date: TBD	Date of Execution: TBD

<p>Purpose and Background:</p>	<p>Washington State law allows HOAs to levy reasonable fines for purposes of CC&amp;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 <u>Lacamas Shores HOA's Board of Directors</u> has developed the enclosed fine schedule and policy for enforcing and addressing LSHOA CC&amp;R violations.</p> <p>It has been the LSHOA Board's policy to not police the community looking for CC&amp;R violations. However, when one is brought to the attention of the Board by a member, it is obligated to <u>look into</u> consider the complaint.</p> <p>There are some parts of our CC&amp;Rs that are open to interpretation, and <u>there are</u> others that are <u>quite</u> definitive. This fine schedule attempts to address common issues where our CC&amp;Rs are clear and where the HOA receives the most complaints.</p> <p>The <u>vast majority</u> clear majority of our community consistently abides by our CC&amp;Rs, but <u>many</u> members have expressed frustration in situations where a neighbor does not abide by the rules, and they look to the HOA <u>to find for</u> resolution <u>to the issue</u>.</p> <p>The goal of implementing this policy is to encourage residents to abide by the CC&amp;Rs and quickly correct violations.</p> <p>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 <u>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</u> <del>2017 meeting and becomes effective</del> <del>2017 effective that same date.</del></p>
<p><u>Policy Authority:</u></p>	<p>Washington State law allows HOAs to levy reasonable fines for purposes of CC&amp;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 LSHOA Board has developed the enclosed fine <u>policy and</u> schedule <u>and</u> <u>policy</u> for enforcing and addressing LSHOA CC&amp;R violations.</p>

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	<p><u>This policy is complaint-driven. There are not the volunteer hours available nor the community desire to address every possible violation of every CC&amp;R section. However, it is clear that it is the responsibility of every Homeowner to comply with all CC&amp;Rs to the extent possible.</u></p>
<p><u>Policy and Procedures:</u></p>	<p>1) Upon identification of a violation of the CC&amp;Rs or rules &amp; 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. <del>[The previous "friendly reminders" were actually official letters sent that called themselves "friendly notifications".]</del></p> <p>2) <del>If a quick resolution is not foreseeable, or a verbal reminder is not practically attainable in addition,</del> a written notice will be sent by certified or priority mail describing the applicable CC&amp;R section, the action/condition violating that section CC&amp;R, 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"> <li>1. <del>Correct</del> the violation within the applicable remediation timeframe <del>45 (fifteen) days, or --</del></li> <li>2. <del>Respond with a request for a hearing or</del> with a schedule for corrective action during that timeframe, or</li> <li>3. <del>Respond with a request for a hearing within 30 days, per Section 5.26.</del></li> </ol> <p><u>The remediation timeframe is 30 (thirty) days for maintenance issues (per Section 5.26), 7 days for 48-hour issues, and or longer as determined by the Board's discretion for other issues but no less than 48 hours.</u></p> <p>3) Upon expiration of the initial <del>30-45 (thirtyfifteen)</del> day period with no response by the Homeowner, a <del>billing statement second letter will be sent via certified or priority mailed requiring a response within 15 (fifteen) days notifying the Homeowner of the corrective action to be taken and/or of any applicable fines levied or other action.</del></p> <p>4) Compliance schedules <del>which are</del> submitted within the original <del>30-45 (thirtyfifteen)</del> day window <del>that,</del> have reasonable timeframes, and are approved by the Board, will not be subject to a fine.</p> <p>5) Repeat violations <del>may</del> will 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 <u>(whichever date was first)</u>. If the Board determines there is not a violation, the fine is dismissed.</p>

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	<p><u>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.</u></p> <p><u>8) This policy does not waive the HOA's right to litigation or other action, if necessary.</u></p> <p><b><u>Hearing Process:</u></b></p> <p>a. If a <u>Homeowner</u> does not agree with the issue or violation, or previous resolution proposals, the <u>Homeowner</u> may file a request for a hearing before the Board with supporting documentation or evidence within <u>4530 (thirtyfifteen)</u> days of the notice of violation. <u>CC&amp;R § 5.26</u></p> <p>b. The Board will consider the documents, evidence and any testimony at <u>the next</u> regularly scheduled Board Meeting <u>in Executive Session</u>. The <u>Homeowner</u> may be present <u>at the hearing during such presentations</u>.</p> <p>c. The Board of Directors of the HOA will make a final decision following the hearing <u>and in confidential deliberation</u>. If the Board of Directors concludes that a violation exists, a fine will be levied. <u>All Board decisions shall be made during regular session Board Meetings</u>.</p>
FAQ's	<p><b><u>Q: How were the items on the fine schedule determined?</u></b></p> <p><u>A:</u> The Lacamas Shores <u>JLS</u> Board studied policies in similar communities nearby, <u>studied the CC&amp;Rs</u>, and sought input from our attorney to identify those violations that were clearly defined in the CC&amp;Rs.</p> <p><b><u>Q: Why <del>w</del>as <del>a</del>re we initiating a fine schedule <u>created</u>?</u></b></p> <p><u>A:</u> <del>In order to</del>To administer the CC&amp;Rs uniformly and fairly throughout the neighborhood, we must have a documented and enforceable process. The objective <del>was</del> is to ensure that our <u>Lacamas Shores</u> neighborhood <u>consistently</u> maintains a <u>consistently</u> high level of "quality <u>and character</u>" <u>in accordance with the legal purpose of our HOA</u>.</p> <p><b><u>Q: How do I get a copy of the Lacamas Shores CC&amp;Rs?</u></b></p> <p><u>A:</u> <u>You can find a copy of our CC&amp;Rs on the official HOA website, <a href="http://www.lacamasshoreshoa.org">www.lacamasshoreshoa.org</a></u>. A copy should have been provided to you at closing. As each homeowner purchases <u>property</u> in <u>Lacamas Shores</u>, the closing papers that we all sign inform the buyer that <u>Lacamas Shores</u> is a <u>covenanted c</u>community and the <u>homeownerresident</u> agrees to, and is responsible for knowing and abiding by these <u>covenants</u>. This means that we all agreed individually to abide by the legal contract called our CC&amp;Rs. <u>You can find a copy of our CC&amp;Rs on the official HOA website: <a href="http://www.lacamasshoreshoa.org">www.lacamasshoreshoa.org</a></u>.</p> <p><b><u>Q: How were the <u>Lacamas Shores c</u>covenants developed?</u></b></p> <p><u>A:</u> The CC&amp;Rs were written by the developer of Lacamas Shores to define some of the expectations and processes of the community. The Declaration</p>

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	<p>of Covenants, Conditions &amp; Restrictions is a legal document filed with Clark County.</p> <p><b>Q: How can the CC&amp;Rs be revised?</b></p> <p><b>A:</b> Changes to the Covenants require approval by 75% of <a href="#">all the</a> <del>the</del> homeowners <a href="#">in good standing</a>. Our community was incorporated in 1988, and to date the CC&amp;Rs have not been amended.</p> <p><b>Q: I'm not sure if something I want to do to my residence or property <del>complies is in compliance with a violation of</del> our CC&amp;Rs. What should I do?</b></p> <p><b>Q: What if I've been assessed a fine that I don't think is fair. Do I need to pay it?</b></p> <p><b>Q: What happens if I receive notice of the same violation a second time (e.g., <del>parking a boat in my your</del> driveway <a href="#">for more than 48 hours</a>)?</b></p> <p><b>Q: What happens if a fine is owed and not paid?</b></p> <p><b>Q: What should I do if I see that my neighbor has a violation?</b></p> <p><b>A:</b> The hope of the <del>HOA</del> 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. <a href="#">Any Homeowner can take on the duty of helping another notice what they might have missed</a>. If that doesn't work, please contact the Board <a href="#">to file an official complaint (see the Homeowner Complaint Form)</a>, and the enforcement procedures will be followed, if necessary.</p>
Notes:	<p>This Policy supersedes all prior policies relating to <a href="#">enforcement and/or fines, other than the Annual Assessment Policy</a>.</p>

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		nuisance, or animals contained other than on rear portion of lot.		
9	§ 5.8	<del>Signs erected without permission other than signs specifically allowed by CC&amp;R Section 5.8. Permanent sign larger than 6x14 inches or temporary sign larger than 18x24 inches.</del>	\$150	Signs will be removed.
40	§ 5.19	Conducting business from the residence that involves employees or vendors visiting residence and creating a nuisance.	<del>\$500</del> 100	Cease business from residence.
44	§ 5.6 § 5.13	Unapproved removal of, or intentional damage to an existing tree on a residential lot. (As defined by the city of Camas, a trunk over 4 inches in diameter at 4.5 feet above the ground is considered a tree)	<del>\$150</del> 3,000	Fine assessed per tree.
12	§ 5.6 § 5.13	Unapproved removal of, or intentional damage to vegetation and/or existing trees in the common area. The removal of trees within the common area may only be permitted if removal is necessitated as a result of a monitoring plan for the wetlands and approved by the HOA and any other city, county, state or federal authority as necessary	<del>\$3,000</del> 150	Fine assessed per tree. Plus remediation for any permanent damage.
13	§ 5.9	Unapproved installation of flag poles, radio or TV antennae or satellite dishes, rotary beams, separate towers, or structures detached from the building.	\$100	Removal of device or structure.
44	§ 5.9	Noxious or offensive activity constituting a nuisance or annoyance, or aesthetic burden.	\$100	<u>Per incident and/or week.</u>
45	§ 5.10	Failure to keep lot or yard maintained, trees and shrubs trimmed in a neat and orderly manner, cultivated, and free from insects and diseases. This includes landscaping that "obstructs another lots view", street signs, or approaching traffic; or that overgrows sidewalks and/or curbs or	\$100	

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		overhangs to obstruct the passage or view of traffic.		
16	§ 5.15	Failure to complete new construction within 8 months from commencement.	\$1,000	Unless waiver is obtained.
17	§ 5.15	Failure to complete landscaping within 2 months from the completion of construction.	\$500	Unless waiver is obtained.
18	§ 5.24	Failure to maintain exterior of residence in a clean and attractive condition and 'good repair'.	\$100	
19	§ 5.9 § 5.23 § 5.34	Failure to keep trash in sanitary containers and screened from view from the street or adjacent properties; drying lines (clotheslines) and apparatus not screened from view from the street or adjacent properties.	\$10050	
20	§ 5.23	Yard debris, dirt, raking, or rubbish kept on street, open space, or lot.	\$100	After first warning.
24	N/A	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.	\$250	After first warning.

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~~\* This fine schedule attempts to identify only clearly defined violations of the CC&Rs of the Lacamas Shores Homeowners' Association. Fines may be levied daily, weekly, or monthly, at the Board of Directors' discretion.~~

- ~~• CC&Rs "§" refers to the section of the CC&Rs where the responsibilities/requirements are identified. 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.~~

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<u>CC&amp;R Section Number, Title and Reference<sup>1</sup></u>	<u>Fine</u>	<u>Notes</u>
<u>§4.9 Effect of Non-Payment of Assessments: Remedies of the Association</u>	<u>Per “Annual Fee Policy”</u>	
<u>§5.3 Model Home</u> – No residing in temporary structures	<u>\$300</u>	<u>See also 5.5</u>
<u>§5.4 Utilities</u> – Need ALCC approval before getting a permit.	<u>See 5.14</u>	
<u>§5.5 Alterations and Additions: Temporary Structures</u> – Includes “exterior alterations” or temporary “living quarters”	<u>See 5.3</u>	
<u>§5.6 Yard Requirements: Fences, Hedges, Walls and Gates</u> – includes structures. References vision for driveways and tree removal.	<u>\$150</u>	<u>References § 5.14</u> <u>See also 5.13</u>
<u>§5.7 Animals</u>	<u>\$50</u>	
<u>§5.8 Signs</u>	<u>\$150</u>	<u>Signs will be removed.</u>
<u>§5.9 Use of Property</u> – (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)	<u>\$150</u>	<u>References “Clark County Chapter 9.14 et seq., and similar ordinance of the City of Camas . . .”</u>
<u>§5.10 Landscape and Maintenance</u> – Failure to maintain “neat orderly and trimmed”, new landscaping completion timeframes, view obstruction, preferred plantings	<u>\$150</u>	<u>See also 4.15 – “Option to Remedy Violations”</u> <u>See also 5.24</u>
<u>§5.11 Easements</u> – Interference, drainage patterns	<u>\$150</u>	
<u>§5.12 Occupancy of Residential Units</u> – occupancy other than members requires approval	<u>\$150</u>	<u>Applies to renters. See also 5.38</u>
<u>§5.13 Roofs, Exterior Paint Color, and Trees</u> – Materials, colors, tree <sup>2</sup> , removal or damage (Homeowners’ property), exterior alterations or additions	<u>\$500</u>	<u>See also 5.6</u> <u>Fine assessed per tree or incident.</u>

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<sup>1</sup> The “reference” information is for ease of use only. Homeowners must refer to the CC&Rs for the specifics of each violation.

<sup>2</sup> 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.



<u>CC&amp;R Section Number, Title and Reference<sup>1</sup></u>	<u>Fine</u>	<u>Notes</u>	
<u>§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)</u>	<u>\$500</u>	<u>Submit approval request form and sign Building Agreement.</u>	<u>Formatted: Font: 12 pt</u>
<u>§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.</u>	<u>\$150</u>	<u>Submit approval request form. May reference 5.5</u>	<u>Formatted: Font: 12 pt</u>
<u>§5.15 Lots Sold to Builders – construction and landscaping deadlines</u>	<u>\$500</u>	<u>Unless waiver is obtained (§5.16)</u>	<u>Formatted: Font: 12 pt</u>
<u>§5.17 Individual Docks Prohibited</u>	<u>\$500</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.18 Compliance with Shoreline Master, Conditional Use Permit, and Substantial Development Permit</u>	<u>\$500</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.19 Vehicle Parking – exception for “an occasional vehicle belonging to a guest”</u>	<u>\$50 daily</u>	<u>Levied no more than a maximum of \$1000 per 30-day period.</u>	<u>Formatted: Font: 12 pt</u>
<u>§5.20 Water Supply</u>	<u>\$500</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.21 Subdivision of Lots</u>	<u>\$500</u>	<u>Commences upon subdivision</u>	<u>Formatted: Font: 12 pt</u>
<u>§5.22 Sewage Disposal</u>	<u>\$500</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.23 Trash</u>	<u>\$50</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.24 Maintenance – requires “clean and attractive condition, in good repair”</u>	<u>See 5.10</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.25 Damage Liability – failure to repair or pay for repairs</u>	<u>\$150</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.29 Building Limits – local building codes</u>	<u>See 5.14</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.31 Clotheslines</u>	<u>\$50</u>		<u>Formatted: Font: 12 pt</u>
<u>5.33 Square Footage Minimums – includes story requirements</u>	<u>See 5.14</u>	<u>Should be during approval process</u>	<u>Formatted: Font: 12 pt</u>
<u>5.34 Excavation and Ditching – Around “springs and/or creeks”</u>	<u>\$150</u>		<u>Formatted: Font: 12 pt</u>
<u>§5.38 Selling and Leasing Homes – must have dues/fees paid</u>	<u>See 5.12</u>		<u>Formatted: Font: 12 pt</u>
<u>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.</u>	<u>\$150</u>		<u>Formatted: Font: 12 pt</u>
<u>Excessive trash during construction</u>	<u>\$150</u>		<u>Formatted: Font: 12 pt</u>

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