

**THE WALK AT BLUFFTON SQUARE
HOMEOWNERS ASSOCIATION, INC.
FINE POLICY AND APPEAL PROCESS
Effective August 26, 2020**

FINE POLICY

Pursuant to 7.3 of the Declaration, The Developer and the Board of Directors, When Empowered, may issue Assessments against the responsible Lot Owner(s) in amounts as it determines in its sole discretion, for a violation of the Governing Documents by the Owner, or by any Resident of the Owner's Lot. The following Fine Policy and Appeal Process shall be followed for The Walk at Bluffton Square Homeowners Association, Inc.:

COURTESY NOTICE: Preceding the first notice, an initial courtesy notice without a fine may be sent at the community manager's discretion.

FIRST NOTICE: An initial notice of the violation shall be mailed to the Owner requesting compliance within fourteen (14) days. A **25.00 FINE** will be assessed with the notice of violation and is due immediately.

SECOND NOTICE: If violation still exists fourteen (14) days after the initial notice of violation, a second notice requesting compliance within fourteen (14) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the second notice of violation and is due immediately.

THIRD NOTICE: If violation still exists fourteen (14) days after the second notice of violation, a third notice requesting compliance within fourteen (14) days shall be mailed to the Owner. A **\$100.00 FINE** will be assessed with the third notice of violation and is due immediately.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice of violation, a **FINE of \$150.00** shall be assessed **every fourteen (14) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, the cost of which shall be invoiced to the Owner and collected in the same manner as assessments.

FINES: No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to correct the violation within ten (10) days or ***another occurrence of the same violation within three (3) months*** of the original violation shall make the Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under the Declaration.

Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.

APPEAL PROCESS

- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL."
- When an Owner desires to appeal a violation, he/she must so notify the Management Company in writing within fifteen (15) days after the date of the violation notice.
- Appeals shall demonstrate **extenuating circumstances** which require deviation from the Governing Documents.
- Appeal shall include all pertinent backup information to support the existence of the **extenuating circumstance**.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered **DENIED**.
- The Owner appealing the violation will be given written notice that the appeal has been received and it will be reviewed by the Board.
- If the appeal is denied, the Owner must bring the violation into compliance within ten (10) days. If the violation still exists after ten (10) days, the Owner will be fined until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowner and collected in the same manner as assessments.

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
THE WALK AT BLUFFTON SQUARE
HOMEOWNERS ASSOCIATION, INC.**


FINE POLICY AND APPEAL PROCESS

The undersigned, constituting all of the members of the Board of Directors of The Walk at Bluffton Square Homeowners Association, Inc., a South Carolina nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Article 5 Section 5.5 of the Bylaws of The Walk at Bluffton Square Homeowners Association, Inc., which states "Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without meeting if the action is taken by unanimous written consent of the Directors. The action must be taken by one or more written consents describing the action taken, signed by each Director, and included in the minutes filed with the corporate records. Any action so approved shall have the same effect as though taken at a meeting of the Directors."


RESOLVED, that the Board of Directors hereby approves the Fine Policy and Appeal Process for The Walk at Bluffton Square Homeowners Association, Inc. attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Fine Policy and Appeal Process effective as of August 26, 2020.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 26
day of AUGUST, 2020.



Tonja Flanagan
President and Director, Board of Directors



Mathew Raines
Vice President and Director, Board of Directors



Doug Hill
Secretary/Treasurer and Director, Board of Directors