

Enforcement Policy & Schedule of Fines

1. It is the goal of the Association to make its owners and residents aware of the Governing Documents that govern use of property in the Mammoth Estates Condominium, Inc (Hereafter) Project and to provide for an orderly, fair manner in which to enforce these documents. This enforcement policy and schedule of fines will list certain possible violations of the Governing Documents and provide for the Board of Director's ("Board") response to such violations.

2. It is the policy of the Association to receive information concerning alleged violations from board members, committee members, and residents. Reports of violations must be in writing and signed. On receipt of notice of an alleged violation, the Board and/or its committees will investigate the alleged violation within a reasonable time thereafter. If the Board and/or its committee determines that a violation has probably occurred, the Board will take the following actions:

(A) Contact the owner of the property setting forth the alleged violation and requesting corrective action be taken within 15 days of the letter. This letter shall be referred to as a "Warning Letter." The letter may be mailed first-class, certified, and/or emailed.

(B) If no corrective action has been taken within 30 days of the first Warning Letter, the Board, in its discretion may either send another warning letter or may mail the owner of the property a Notice of Hearing on the issue of whether to impose discipline in connection with the alleged violation.

(C) The hearing will take place at a board meeting at which at least a quorum of the Board is present. The hearing will commence with a recital of the Board's reasons for determining a violation has occurred. The owner may then provide evidence either in writing or orally. The owner may present witnesses. The Board, having performed its own investigation and presented its own findings, is not required to identify the person or persons who brought the matter to the Board's attention, although the Board may do so if it deems such disclosure in the best interests of the community. The owner shall not be entitled to counsel during the hearing. Deliberation of the Board after the hearing need not be undertaken in the presence of the owner or in open session. Within 15 days after the hearing, the Board will provide written notice to the owner of its decision. If the Board decides to impose discipline, that discipline shall not take effect until 5 days after the Board notifies the owner of its decision to impose discipline.

(D) If the owner fails to appear, the Board must nevertheless consider evidence presented to it in connection with its investigation, and it must determine whether or not a violation has occurred. If the violation is found to have occurred, the Board must determine what disciplinary action to impose, if any.

(E) The following items are considered to be disciplinary actions requiring a hearing before imposition:

- (i) Fines (see paragraph 5, which contains the fine schedule);
- (ii) Suspension of voting rights for failure to pay any assessment; and
- (iii) Reimbursement assessment(s) as permissible.

If the violation is continuous in nature (such as an unremedied landscaping or architectural violation), the Board may impose the periodic fine described in paragraph 5 without further hearing. However, for multiple violations of the same restriction, further hearings would be required. Multiple violations of the same restriction may subject the owner to enhanced fines.

3. In the event a governing document violation also constitutes a violation of federal, state, or local law, the Board may, in addition to the other actions identified herein, notify the appropriate governmental agency of its findings and provide that with the evidence the Association possesses.

4. The following items are not considered disciplinary actions and therefore do not require a hearing before imposition:

- (i) Warning letters;
- (ii) Institution of legal proceedings;
- (iii) Emergency entry of a lot to remedy a health or safety problem;
- (iv) Initiation of alternative dispute resolution proceedings;
- (v) Collection of overdue assessments; and
- (vi) Towing vehicles improperly parked on the common areas under Veh C §22658.

5. Schedule of Fines

(A) Violation of any Governing Document that may not result in an adverse health or safety impact: **\$100 per violation.**

(B) Violation of any Governing Document that may result in an adverse health or safety impact on the common area or another association member's property, and the board shall make a written finding specifying the adverse health or safety impact in a board meeting open to the members.

First Health and/or Safety Violation:	A warning and/or fine not to exceed \$500.00
Second Health and/or Safety Violation:	A fine not to exceed \$1,000.00
Third Health and/or Safety Violation:	A fine not to exceed \$2,000.00
Subsequent Health and/or Safety Violations:	A fine not to exceed \$3,000.00

(C) Continuing Violations. In the case of a continuing violation, the Board may deem such continuing violation to constitute two (2) or more separate and distinct violations of the same Governing Document provision and may impose separate and successive sanctions for each such violation based on the penalty amounts listed hereinabove. However, the Board shall not impose a separate sanction for violation of the same provision more frequently than once per day.

6. The Board may, at any time it deems such appropriate, file a civil action to obtain compliance with the governing documents; the Board need not fine an owner first. In a court action, the Board may seek either, or both, injunctive relief (that is, a court order requiring an owner to obey the governing documents) and/or recovery of fines, if any.

7. Occasionally violations are committed by tenants or guests of the owner. The owner is responsible for those violations. The notice of hearing will be sent to the owner, although the Board may, should it desire, send a copy of the notice to the tenant as well.

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CATHERINE BLAKEMORE 10/15/2026
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HOA President