

## **LCCPOA COMPLIANCE PROCEDURES**

On December 8, 2020, the Board unanimously adopted **RULES and Regulations** establishing a **Fining/Suspension Committee** and creating **Fining/Suspension Procedures**. This procedure was structured by our law firm to conform to current statutes. It provides the basis for due process accorded to property owners who are subject to fines.

The procedure permits the Board to levy and, if subsequently upheld at hearing, impose fines. The levy of a fine must occur at a properly noticed board meeting. There is no requirement that property owners be notified in advance of the levy action.

However, property owners subject to a fine must be notified in writing at least **14 days** in advance of an intent to **impose** the fine and must be given the opportunity to appear before a committee comprised of at least three Association members who are not officers, directors, or employees of the Association, nor spouses, parents, children or siblings thereof. Our current Hearing Committee meets these requirements.

The procedures require that a fining notice be sent out via certified mail, return receipt requested, with a copy by regular mail, or copy via email. The notices will be delivered to the address on record with our property management firm, Resort Management.

When the Hearing Committee has fines to consider, it will meet typically, on the **first Thursday of the month**. All fines levied by the Board will be heard by the Hearing Committee, whether or not the fined residents choose to attend.

The Hearing Committee cannot change the amount of the fine. It may only decide whether to uphold the fine levied by the Board. If the Hearing Committee votes not to impose the fine, it is not imposed. If the fines are upheld by the Hearing Committee, the fines are imposed. No further vote or action is required by the Board of Directors. Our procedures require that the Association notify the fined property owner about the fine imposition, again via certified mail. Once a fine has been imposed, it is added to a property owner's account and is due and payable.