

Radisson Community Association
RCA/ASC Violation Abatement/Fine Policy

Purpose

It benefits all homeowners in the Radisson Community Association to establish uniform, standard rules and regulations to promote the common good and enjoyment of the homeowner's investment; keep our community beautiful by preserving the appearance and architectural harmony of the community; and to maintain a pleasant living environment.

Effective Date

The rules and regulations set forth in this RCA/ASC Violation Abatement/Fine Policy have been in effect since the filing of the Radisson Declaration of Protective Covenants, Conditions and Restrictions as Amended ("Declaration"), June 27, 1975 with the Onondaga County Clerk's Office.

Authority

The Board of Directors of The Radisson Community Association ("RCA"), along with the Architectural Standards Committee ("ASC"), acting pursuant to the powers granted to it by the Declaration and in order to enforce the provisions of the Declaration and By-Laws for the RCA, has enacted the following fine policy pursuant to Article XII of the Declaration.

Policy

The RCA via the ASC or Board of Directors may impose fines and/or invoke other appropriate remedies upon a Member or any other occupant for violations of the Declaration or Rules and Regulations of the Association in accordance with the following procedure. Any fine or other remedy shall be imposed in accordance with the provisions of the Declaration and written procedures.

Procedure:

Class 1 Violation - Unapproved Alterations and Improvements

If property alterations and improvements are made without ASC approval as required by the Declaration or by the Architectural Standards adopted by the Architectural Standards Committee and Board of Directors, a fine will be imposed for each occurrence as set forth below. Unauthorized alterations and improvements include those alterations or improvements that are made on the basis of an approved ASC application but are materially different from the original ASC approved alteration or improvement.

1. For the first Notice of Violation within twenty four consecutive months, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a notice of a \$200 fine, a description of the violation, information on curing the violation, and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for the unapproved modification. The letter will further state that if the violation is not cured or an Architectural Standards Application is not received within 10 calendar days, an additional fine of \$300 will be imposed against the homeowner's RCA account.
2. If the violation is resolved by the property owner to ASC's satisfaction within 10 calendar days, the owner shall be so informed in writing and a record kept in the property file (and matter deemed closed upon payment of fine).
3. If the violation is not resolved to ASC's satisfaction by the homeowner or a filed application is not received by RCA after 10 calendar days, a fine of \$300 will be assessed against the homeowner's RCA account. A letter or email shall be sent to the property owner informing the owner of the additional fine and a renewed demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for the unapproved modification within 20 calendar days or the case will be referred to the RCA Board of Directors for consideration of assessing a Class 6 Blatant Disregard Violation Fine of up to \$5,000.
4. If no Application to the RCA ASC is received within the aforementioned 20 calendar days, the RCA Board of Directors will review the violation for consideration of Blatant Disregard. If the BOD determines the Owner is in violation of a Class 6 Blatant Disregard Violation, the Executive Director will send a letter notifying the property owner of the Blatant Disregard determination, and will levy a \$2,000 Fine. The letter will further make a renewed demand for the violation to be cured or an application for the unapproved modification be received within 10 calendar days, or an additional fine for Blatant Disregard of \$3,000 will be imposed against the homeowner's RCA Account.
5. If the violation is not cured or an application not received by the RCA ASC from the Owner after the aforementioned 10 calendar days, the Executive Director will send a final notice. The letter will include a levy of a \$3,000 fine and will notify the property owner that if violation is not cured or an application to the RCA ASC is not received within 20 calendar days, the RCA Board shall instruct the Executive Director to begin legal action through the RCA's Attorneys.

6. After the aforementioned 20 days, the RCA's attorneys shall write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.

7. If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.

8. If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification by the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

9. If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Class 2 Violation - Unapproved Tree Removal

If removal of a tree is made without ASC approval as required by the Declaration or by the Architectural Standards adopted by the Architectural Standards Committee and Board of Directors, a fine will be imposed for each tree as set forth below.

1. For the first Notice of Violation within twenty four consecutive months, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a notice of a \$500 fine, per tree, a description of the violation and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval to install replacement trees. Trees must be similar species to what was removed, minimum caliber of 2" (measured 12" above grade), and location of the replacement trees shall be agreed upon by the RCA ASC. The date of resolution to have the trees installed by the Owner must be stated in the application and agreed upon by the RCA/ASC. The letter will further state the Architectural Standards Application must be received within the 10 calendar days.

2. If application is not received by RCA after 10 calendar days a letter or email shall be sent to the property owner with a renewed demand that the RCA ASC receive a completed Architectural Standards Application seeking replacement tree(s) within 20 calendar days or the case will be referred to the RCA Board of Directors for potential legal action.

3. If application is not received to the RCA ASC from the Owner after the aforementioned 20 calendar days, the Owner will be sent a final notice. The letter will notify the property owner that if application to the RCA ASC is not received before the next scheduled Board of Directors meeting, the RCA Board will instruct the Executive Director to begin legal action through the RCA's Attorneys.

4. The RCA's attorneys shall then write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.

5. If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.

6. If the violation is cured to ASC's satisfaction (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

7. If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Class 3 Violation– Property Maintenance Deficiency Requiring Approval From ASC Before Resolving Violation

Any property maintenance deficiency violation which requires Architectural Standards Application(s) to be submitted, reviewed, and approved before taking corrective action to resolve, as required by the Declaration or by the Architectural Standards adopted by the Architectural Standards Committee and Board of Directors, will have a fine imposed for each occurrence.

1. For the first Notice of Violation within twenty four consecutive months, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a description of the violation, information on curing the violation, and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for taking corrective action of the property maintenance deficiency (including how owner will resolve violation and date violation will be resolved). The letter will further state that if Architectural Standards Application is not received within the 10 calendar days, a fine of \$200 will be imposed against the homeowner's RCA account.

2. If violation is resolved by property owner to ASC's satisfaction within 10 days, the owner shall be so informed in writing and a record kept in the property file and the matter deemed closed.

3. If application is not received by RCA after 10 calendar days, a fine of \$200 will be assessed against the homeowner's RCA account. A letter shall be sent to the property owner informing the owner of the fine and a renewed demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for taking corrective action of the maintenance deficiency (including how owner will resolve violation and date violation will be resolved) within 20 calendar days or the case will be referred to the RCA Board of Directors for consideration of assessing a Class 6 Blatant Disregard Violation Fine of up to \$5,000.

4. If application is not received by RCA after 20 calendar days, a fine of \$300 will be assessed against the homeowner's RCA account. The RCA Board of Directors will also review the violation for consideration of Blatant Disregard. If the BOD determines the Owner is in violation of a Class 6 Blatant Disregard Violation, the Executive Director will send a letter notifying the property owner of the Blatant Disregard determination, and will include a \$2,000 Fine. The letter will further make a renewed demand for an application to be received within 10 calendar days, or an additional fine of \$3,000 will be imposed against the homeowner's RCA Account.

5. If application is not received by the RCA ASC from the Owner after the aforementioned 10 calendar days, the Executive Director will send a final notice. The letter will include a \$3,000 Fine and will notify the property owner that if application to the RCA ASC is not received within 20 calendar days, the RCA Board shall instruct the Executive Director to begin legal action through the RCA's Attorneys.

6. The RCA's attorneys shall, after the aforesaid 20 days, write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable

to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.

7. If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.

8. If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

9. If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Class 4 Violation – Property Maintenance Deficiency NOT Requiring ASC Approval Before Resolving Violation

For any violation, except Class 1, Class 2, Class 3, and Class 6 violations, of Articles VI, VII, X, and XI of the Declaration, or Architectural Standards adopted by the ASC or rules adopted by the Board of Directors, which does not require ASC approval before taking corrective action to resolve, a fine will be imposed for each occurrence.

1. For the first Notice of Violation within twenty four consecutive months, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a description of the violation citing the source document, information on curing the violation, and a demand for the maintenance deficiency to be resolved. The letter will further state that if the violation is not resolved within the 10 calendar days, a fine of \$200 will be imposed against the homeowner's RCA account.
2. If the violation is resolved by property owner to ASC's satisfaction within 10 calendar days, the owner shall be so informed in writing and a record kept in the property file and the matter deemed closed.
3. If the violation is not resolved after 10 calendar days, a fine of \$200 will be assessed against the homeowner's RCA account. A letter shall be sent to the property owner informing the owner of the fine and a renewed demand to resolve the violation within 20 calendar days or the case will be referred to the RCA Board of Directors for potential legal action.
4. If the violation is not resolved after the aforementioned 20 calendar days, a fine of \$300 will be assessed against the homeowner's RCA account. The letter will notify the property owner that if the violation is not resolved or an application to the RCA ASC is not received before the next scheduled Board of Directors meeting, the RCA Board will instruct the Executive Director to begin legal action through the RCA's Attorneys.
5. The RCA's attorneys shall thereafter write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.
6. If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.

7. If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

8. If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Class 5 Violation – Repeat Occurrence Violation

For a Class 1, Class 2, Class 3, or Class 4 cited violation of the Declaration which is repeated or reoccurs within twenty four months of the original violation, a fine will be imposed for each occurrence.

1. For a repeated or reoccurring violation within twenty four consecutive months, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a description of the violation citing the source document, information on curing the violation, and a demand that the Owner follow the steps needed to take corrective action, specified in the letter, within 2 calendar days, to immediately cure the violation. The letter will also state that a fine of \$500 has been assessed against the homeowner's RCA account.

2. If the violation has been resolved or Owner has taken the required steps to cure the outstanding violation (as specified in the first letter) within 2 calendar days, the owner shall be so informed in writing and a record kept in the property file.

3. If, after 2 calendar days, there is no satisfactory response from the homeowner the case shall be referred to the RCA Board of Directors (BOD) for potential legal action. If approved, the BOD shall instruct the Association's Executive Director to begin legal action through the RCA's attorneys.

4. The RCA's attorneys shall write to the Owner requiring a response within 2 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.

5. If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.

6. If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

7. If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Class 6- Blatant Disregard

- 1) Where an Owner completes an exterior modification/alteration/addition to his/her/their home after receiving a final denial on the application for said exterior modification/alteration/addition the following steps will take place:
 - a) ASC will document and review the violation and related correspondences. If warranted, the ASC will make a recommendation to the BOD that the violation be considered a Blatant Disregard Violation.
 - b) If the BOD determines the Member's action and/or inaction to be a Blatant Disregard Violation, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a notice of a \$5,000 blatant disregard fine, a description of the violation, information on curing the violation, and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for the unapproved modification (including how owner will resolve violation and date violation will be resolved). The letter will further state that if Architectural Standards Application is not received within the 10 calendar days, the case will be referred to the RCA Board of Directors for potential legal action.
 - c) If application is not received to the RCA ASC from the Owner after the aforementioned 10 calendar days, the Executive Director will send a final notice. The letter will notify the property owner that if application to the RCA ASC is not received before the next scheduled Board of Directors meeting, the RCA Board will instruct the Executive Director to begin legal action through the RCA's Attorneys.
 - d) The RCA's attorneys shall write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.
 - e) If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.
 - f) If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the

ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.

- g) If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.
- 2) Where an Owner continues and/or completes an exterior modification/alteration/addition without having sought ASC approval after having been notified to submit an application for said exterior modification/alteration/addition the following steps will take place:
- a) ASC will document and review the violation and related correspondence. If warranted, the committee will make a recommendation to the BOD that the violation be considered a Blatant Disregard Violation.
 - b) If the BOD determines the Member's action and/or inaction to be a Blatant Disregard Violation, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a notice of a \$2,000 blatant disregard fine, a description of the violation, information on curing the violation, and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for the unapproved modification. The letter will further state that if Architectural Standards Application is not received within the 10 calendar days an additional fine of \$3,000 will be imposed against the homeowner's RCA account.
 - c) If application is not received to the RCA ASC from the Owner after the aforementioned 10 calendar days, the Executive Director will send a final notice. The letter will include a \$3,000 Fine and will notify the property owner that if violation is not resolved or an application to the RCA ASC is not received within 10 calendar days, the RCA Board shall instruct the Executive Director to begin legal action through the RCA's Attorneys.
 - d) The RCA's attorneys shall write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.

- e) If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.
 - f) If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.
 - g) If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.
- 3) Class 1 and Class 3 violations may be considered Blatant Disregard after the final notice applicable to those classes has been sent to the Owner and the violation has not been resolved to ASC's satisfaction and no response has been received (as per the process outlined in Class 1 and Class 3 procedures).
- a) If BOD determines the Member's action and/or inaction to be a Blatant Disregard Violation, a letter will be sent to the property owner via E-mail on file with the RCA or First Class Mail. The letter will include a notice of a \$2,000 blatant disregard fine, a description of the violation, information on curing the violation, and a demand that the RCA ASC receive a completed Architectural Standards Application seeking approval for the unapproved modification. The letter will further state that if Architectural Standards Application is not received within the 10 calendar days an additional fine of \$3,000 will be imposed against the homeowner's RCA account.
 - b) If application is not received to the RCA ASC from the Owner after the aforementioned 10 calendar days, the Executive Director will send a final notice. The letter will include a \$3,000 Fine and will notify the property owner that if violation is not resolved or an application to the RCA ASC is not received within 10 calendar days, the RCA Board shall instruct the Executive Director to begin legal action through the RCA's Attorneys.

- c) The RCA's attorneys shall write to the Owner requiring a response within 10 calendar days. If a proposed satisfactory response and/or application to the RCA ASC is received by the attorney, the attorney shall forward same to the Executive Director. Absent a response acceptable to the RCA ASC, administrative and attorney fees will be charged to the Owner at this point.
- d) If the Owner fails to respond to the Association's attorney's letter, or if a satisfactory solution or application to the RCA ASC is not received, immediate litigation exercising the Association's Right of Abatement or other remedy available to it under the Declaration or New York State law shall be initiated through the courts and/or a daily fine of \$20 per day, per violation, will commence. The owner will be notified as to which course of action the Association is following by the Association's attorney and, if applicable, of the date on which the fines will begin accruing against the Owner. Said fine will be imposed until the date the violation is corrected, but shall not exceed Six Thousand Dollars (\$6,000). The Executive Director or his designee shall record the continuing presence of the violation.
- e) If the violation is cured (after the notice that the fine process is to begin or has begun), but such violation reappears, the fine rate will begin again immediately upon verification of the ASC without the requirement of repeating any of the specified procedures for the Owner's initial violation as indicated above. The Owner shall receive notice of the continuation of this action from the Association.
- f) If the monetary damages incurred by the Association reaches the maximum allowable amount hereunder (or such lesser amount selected by the Association's Board of Directors) the Association may seek from any court of competent jurisdiction, a judgment of monetary damages, all court costs, administrative costs, attorney fees and, if applicable, ordering the cure of the said violation.

Approved: April 25, 2018