

**Waterford On Lake Travis Property Owners Association II, Inc.**

**Violation Enforcement Process**

**For Master Declaration, By-Laws, ARC Rules and Standards and Waterford on Lake Travis Rules**

**Approved on August 25, 2013**

**Step 1: Notice of Violation**

Board will send written notification via certified mail, return receipt requested, of violation detailing date of violation, description of violation, reference to the rule or provision violated, description of the action required to cure the violation, the amount of fine to be levied and/or the abatement action to be taken and a statement that no later than the (30<sup>th</sup>) day after the date of violation notice, the owner may request a hearing before the Board to contest the fine or the abatement action. A mailed notice shall be deemed delivered after being placed in the mail, postage paid, in three (3) days (not including Sunday or holidays). Note that noise violations must be verified by an independent party (e.g. a neighbor) or the Travis County Sheriff's Office.

**Step 2: Request for Hearing**

To request a hearing before the Board, an owner must submit a written request to the Board within (30 days) after the date of violation notice. Within (10) days after receiving the owner's request for hearing, the Board will give the owner notice of the date, time and place of the hearing in written communication. The hearing will be scheduled for a date within (30 days) from the date the board receives the owner's request, and should be scheduled to provide a reasonable opportunity for both the board and owner to attend.

**Step 3: Hearing**

The hearing will be held in a closed or executive session of the Board. At the hearing, the Board will consider the facts and circumstances surrounding the violation. The owner may attend the hearing in person or may be represented by another designated individual or written communication responding to violation.

**Step 4: Minutes of Hearing**

The minutes of the hearing must contain a statement of the results of the hearing and the amount of the fine, if any, imposed or abatement action, if any, authorized. A copy of the violation notice and request for hearing will be placed in the minutes of the hearing.

**Step 5: Imposition of Fine**

Within (30 days) of hearing and levying of any fine or abatement, the board must give owner written notice of the final levied fine or abatement. If the fine or abatement action determined at hearing at which the owner is actually present, the notice requirements will be satisfied.

**Step 6: Payment of Fine or Reimbursement Assessment**

Any fine or abatement action must be paid to the POA within (30 days) of fine assessed and notice given.

**Step 7: Failure to Pay the Fine, Reimbursement Assessment and other associated fees**

If fines and fees are not paid, the POA will take further action, as described in the governing documents.

**Step 8: Other Fine Related**

The Association and/or Board are not entitled to place/collect a fine from an owner to whom it has not given written notice and opportunity to be heard.