

CHAMISA GREENS HOMEOWNERS' ASSOCIATION

VIOLATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS POLICY

The following policy is in place to determine whether a violation exist and if a violation is determined to exist, to cause remedy of the violation.

1. **Determination of Violation.** The Management Company and/or any member of the Chamisa Greens Board of Directors or Architectural Control Committee will make the final determination of whether a violation of the Protective Covenants (CC&R's) exists.
2. **Curing the Violation.** If it determined that violation does exist, the Homeowner will be sent a **First Violation Notice** describing the violation, the applicable CC&R's regulation that is being violated, and a requirement that the violation be cured in a reasonable time period.
3. **Uncured Violations.** If the violation has not been cured within the time period specified in the **First Violation Notice**, a **Second Violation Notice** will be issued. If the violation remains uncured the homeowner will receive a **Third Violation Notice** instructing the homeowner of their right to a hearing. A written request for the hearing, which is properly signed by the homeowner and date, must be received within ten (10) days after the third notice of violation is mailed. Failure of the homeowner to request a hearing in writing within the required time period shall constitute a waiver of such right to a hearing. Such notice shall be deemed delivered if postmarked and mailed to the Management Company.
4. **Hearing.** The Architectural Control Committee will conduct the hearing where any of all of the following sanctions may be imposed:
 - a. Cure of the violation, all costs of which will be charged back to the owner. If not paid the owners property will be liened in the amount owed.
 - b. Injunctive relief against the continuance of such violation through the court system; all costs will be charged to the owner.

A decision regarding the violation may be made upon conclusion of the hearing or it may be postponed no later than ten (10) days from the date of the hearing. The decision from the hearing will be served upon each party to the matter. A summary of the decision shall be included in the records of the Association.

Revised: February 2010