

**Chiwawa Communities Association
(Chiwawa River Pines)
Enforcement Policy
2009**

The Chiwawa Communities Association Board of Trustees (“Board”) approves the following enforcement policy for any and all violations of state and/or local laws, Protective Covenants, By-laws, and Board Rules and Regulations (“Enforcement Policy”). After providing notice and an opportunity for a hearing, if the alleged violation persists, water service to the violating owner’s property shall be discontinued. Any owner, occupant, or authorized representative, who violates the state and/or local laws, Protective Covenants, By-laws, or Board Rules and Regulations, shall subject the property owner to this Enforcement Policy.

1. Complaint

A complaint must come from an Association owner (“Complainant”) in writing to the Board for review and verification at the official mailing address of the Chiwawa Communities Association. If the complaint comes from a current Board Member, that Board Member shall withdraw himself or herself from any vote taken on said complaint.

2. Investigation

Upon receipt of a complaint from an Association owner, the complaint may be returned to the Complainant or may be investigated. The Board shall have sole discretion in appointing the Covenants Committee to investigate the matter. If the allegation involves commercial use, examples of evidence of a legitimate complaint include, but is not limited to the following: newspaper or internet advertising, business license, or neighbor documentation.

3. Covenants Committee

The Board shall determine the number and members of the Covenants Committee, which may consist of Board and non-Board members. The duties of the Covenants Committee include the following:

- Investigates complaints from Association owners and reports back to the Board with recommendations.
- Advises and communicates with the Board on a regular schedule.

The Board, not the Covenants Committee, shall send letters to the owners and conduct the hearing.

4. First Notice of Violation

A First Notice of Violation will be sent in writing to the property owner and will describe the alleged violation and relevant ordinance, Protective Covenant, By-law, rule or regulation. The Owner will have 10 days to contact the Board in writing to indicate the violation has been corrected or request a Board hearing on the merits of the matter. See Section 7.

5. Second Notice of Violation

Failure to correct the violation, failure to respond to the first notice, or failure to provide requested information will result in a Second Notice of Violation sent via certified mail and posted on the property. This notice will inform the Owner that continued disregard by the Owner or occupant to correct the noted violation may result in the discontinuation of water service. The Owner will have 10 days to contact the Board in writing to indicate the violation has been corrected or request a Board hearing on the merits of the matter. See Section 7.

6. Third Notice of Violation

Failure to correct the violation, failure to respond to the second notice, or failure to provide requested information will result in a cease and desist letter from the Association's attorney. This Enforcement Policy does not preclude pursuit of legal action against the violating Owner, including injunctive relief, in parallel to this Enforcement Policy. Pursuant to the Protective Covenants, in any court action or other proceedings to enforce or defend the covenants, the rules or otherwise to address a violation by an alleged violator, the Board shall be entitled to recover its attorney fees and costs against the Owner.

If the Owner has not yet requested a hearing, the letter shall also inform the Owner/authorized representative that they are requested to appear at a pre-scheduled hearing to be convened by the Association's Board of Trustees to show cause why water service should not be discontinued for failure to correct the recorded violation.

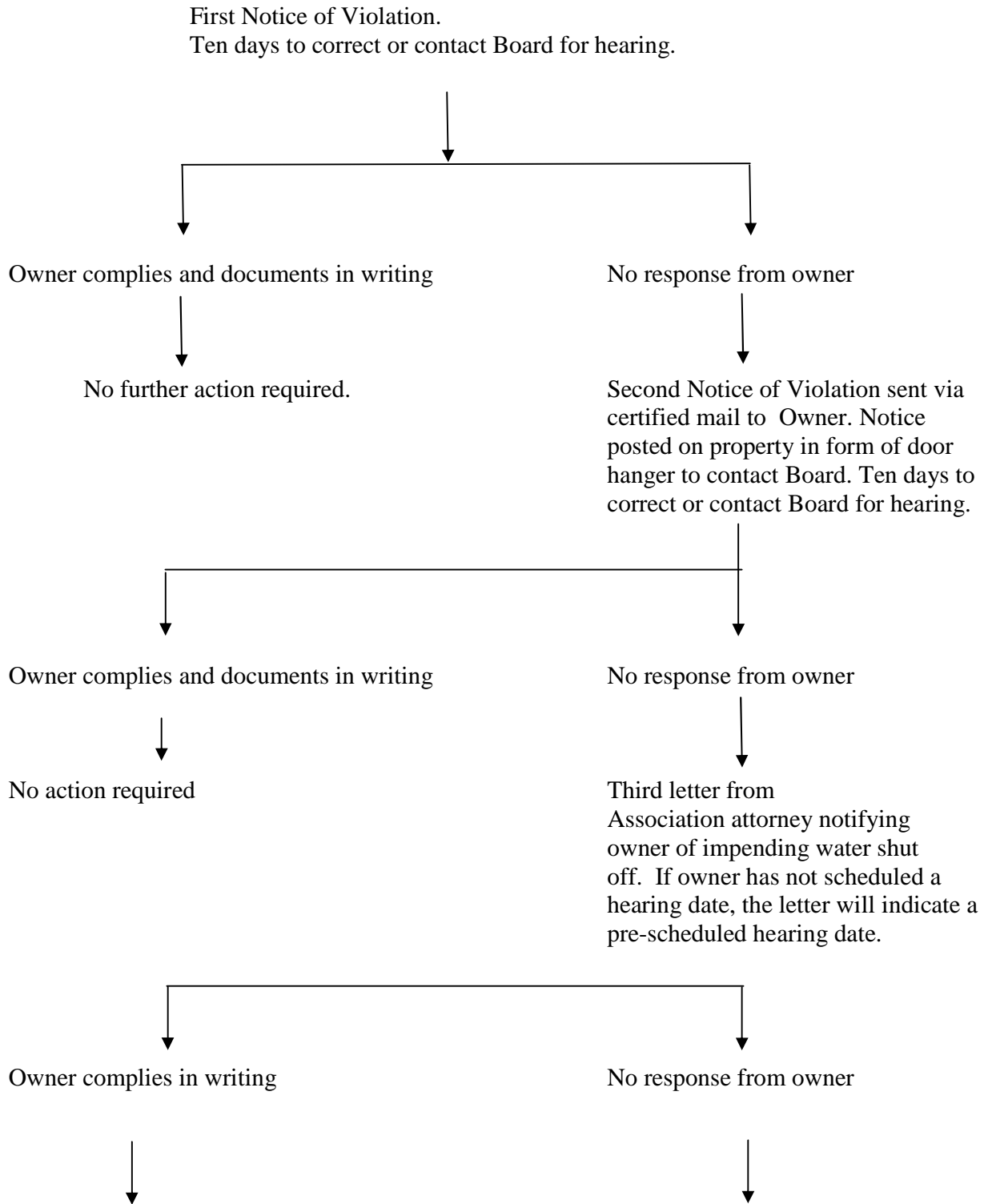
7. Hearing

During the hearing, the Owner, or authorized representative shall be offered the opportunity to explain why the violation has not been corrected or alternatively why the Owner believes he or she is in compliance with the applicable law, ordinance, covenant, rule, or regulation. Failure of the Owner or authorized representative to attend the hearing will automatically result in default by the Owner. The Board will vote to determine whether a violation exists and has not been corrected by the Owner. A majority decision against the Owner will result in the discontinuation of water service to the property, with written confirmation posted on the property.

8. Water Service Reconnection

If the Owner corrects the violation and, if necessary, provides documentation to the Board, the water service to the property will be reconnected upon payment of a \$200.00 reconnect fee to the Association. The Board may require a deposit from the Owner to ensure future compliance. The amount of the deposit and length of time the deposit is kept shall be determined on a case-by-case basis.

9. Chart of Enforcement Process



No action required

Hearing before Board. A non-appearance will automatically result in default by the owner.



If violation found to persist, water is shut off at street and notice is posted on property



Owner complies and pays \$200.00 reconnect fee. Board may require deposit from owner to ensure compliance.



Water is turned on at street.

10. Amendment

The Board may amend this Enforcement Policy from time to time.

The undersigned, being the President of the Chiwawa Communities Association, a Washington non-profit corporation, certifies that the foregoing resolution was approved and adopted by the Board of Trustees, at a duly called and held meeting of the Board of Trustees on _____, and in witness thereof, the undersigned has subscribed his name.

Chiwawa Communities Association
a Washington nonprofit corporation

By: _____
Mike Stanford, President