

**MAPLE RIDGE HOMEOWNERS ASSOCIATION  
PROCEDURE FOR FINES AND/OR SUSPENSION OF SERVICES**

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Upon receiving a report of a possible violation of any of the governing documents of the association a letter will be sent explaining the violation that has been reported and providing an opportunity for the individual(s) to take corrective action within a specified time frame.

If the reporting party claims there has been a violation of the Abuse and Harassment Policy, Lambeth Management will request that Incident Reports be completed by the reporting and the responding parties and returned to the management company within ten (10) days. Upon review of the Incident Reports the Board of Directors may instruct Lambeth Management to take appropriate action.

Upon failure to correct the violation a determination will be made by the Board of Directors if a hearing is warranted.

1. The Board of Directors sitting as a panel will determine whether or not any homeowner should be fined and/or services rendered by the Association should be suspended for violations of the Declaration, By-Laws or Policies and Procedures of the Association. All decisions are final.
2. The panel shall hear all matters that come before it, and all determinations will be by majority vote.
3. Any homeowner who is to appear before the panel shall be provided notice of hearing (Appendix A) and given an opportunity to be heard at that time.
4. If the evidence presented warrants, the panel may:
  - a. Decide that no fine or suspension of privileges need be imposed.
  - b. Decide that a fine should be imposed. A fine not to exceed one hundred dollars (\$100.00) for the violation for each day more than five days after the decision that a violation has occurred.
  - c. Decide that a suspension of privileges or services should be imposed; the suspension is limited to sixty (60) days per occurrence as stated in the Declaration. The exception being an outstanding fine or unpaid dues, then the suspension will continue until the delinquency is satisfied.

5. Upon conclusion of the hearing, the panel shall consider the evidence presented, reach a decision and communicate it in writing to the homeowner within seven (7) days thereafter.

### **Costs of Proceedings and Legal Fees**

In any legal or administrative proceeding arising between the association and an owner or occupant because of an alleged default or violation of the governing documents by an owner or occupant, the association is entitled to recover all costs and reasonable attorneys' fees incurred by it.

**APPENDIX A**

Date

Name  
Address  
City, State, Zip

Dear \_\_\_\_\_:

Re: Notice of Hearing  
\_\_\_\_\_, 20\_\_, at \_\_\_\_\_ p.m.

As stated in a previous letter, you are in violation of \_\_\_\_\_.  
As of the date of this letter, the violation has not been corrected and in accordance with the NC Planned Community Act, the Board of Directors will hold a hearing as noted above.

You have the right to attend the hearing and be heard prior to fines or suspension of privileges and services being levied. The Board of Directors sitting as a panel will conduct the hearing. All decisions are final.

Failure to attend the hearing or request a new hearing time with the Board of Directors will be regarded as your waiving your rights to attend a hearing.

You will be notified of the panel's decision in writing within seven (7) days after the hearing. If the decision made is to assess a fine and/or suspend privileges and services, you will have five (5) days to correct the violation. After that time fines of up to \$100 per day per violation may be added to your account. Fines are considered assessments and must be paid within thirty (30) days after notice of assessment.

Thank you in advance for your cooperation.

Very truly yours,

Maple Ridge Homeowners Association

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Association Manager  
Lambeth Management

## **APPENDIX B**

### **AGENDA**

1. Introduction of the panel by the chair.
2. Overview of procedures to be observed.
  - a. Opening statement by Chair as to issues before the panel.
  - b. Procedure for Fines and Suspension of Privileges or Services of Members of Maple Ridge Homeowners Association to govern hearing.
3. Statement and evidence offered by the homeowner.
4. Questions by members of the panel.
5. Questions by homeowner.
6. Conclude hearing by chair.
  - a. Written decision to be sent to homeowner within seven (7) days.