

QUAIL RUN HOMEOWNERS ASSOCIATION

Enforcement Policy & Procedures

Authority

The Oregon Planned Community Act defines a homeowner association's authority to impose fines for violations of declarations, bylaws, or other association rules. It states that the Association may levy reasonable fines for violations of the declaration, bylaws, rules and regulations of the association. It also states that fines must be based on a schedule contained in the declarations or bylaws, or an amendment to either, or on a resolution of the Association or its Board of Directors (*Reference: [Oregon Revised Statute 94.630](#)*).

The Quail Run HOA Board of Directors has responsibility for compliance. The board may delegate responsibility for carrying out enforcement procedures to others, including QRHOA staff or a homeowners committee. The board may also establish processes, guidelines, and procedures to assist with maintaining compliance and to respond to compliance issues or concerns.

Enforcement Process

In the event of a violation or potential violation of Quail Run HOA rules and policies, it is preferred that the homeowners voluntarily correct the violation without the necessity for fines or other formal action. Quail Run HOA staff, board members, or designated volunteers responsible for compliance may communicate with homeowners in writing or by other means to affect a resolution. In the event that these efforts are not successful, the following formal notice and communication process will be followed:

Notice of Violation

The Association mails a notice of violation to homeowner. The notice describes the violation and provides up to seven (7) days from the date of the notice to correct the violation with a clear and detailed explanation of the required remedy. Included in the notice is notification to the homeowner of the Association's right to assess a fine.

Decision to Fine

If the homeowner does not remedy the violation, the Board of Directors may impose a fine consistent with the fine schedule below. A notice of fine letter is mailed to the homeowner informing them of the fine and of the following options:

1. The homeowner may remedy the violation and pay the fine.
2. The homeowner may request a hearing in writing and appeal to the Board of Directors.

If the homeowner does not respond within 15 days of the issue of the fine letter, a lien will be placed on the homeowner's property. Attorney fees incurred by the Association in this process will be charged to the non-responding homeowner.

Recurrent Violations

Recurrent violations are rule violations that occur more than once on different occasions. A homeowner will be considered a recurrent violator if any of the following occurs:

1. The homeowner does not remedy a violation within the time period established by the board.

2. The homeowner has been notified via formal letter by the Association in regards to two or more separate incidents of violations during a six-month period.
3. The homeowner has been assessed fines more than once for the same violation.

In the event of a recurrent violation, the Association will require homeowner compliance within a limited time period. Failure to act will result in fines twice the amount that would be imposed to non-recurrent offenders.

Schedule of Fines

The Board of Directors will use the following schedule as a basis for determining fines. Depending on circumstances of a violation, the board may also require the homeowner to pay costs incurred by the Association in regards to remedying the situation that the rule violation caused.

The fine schedule below does not list all possible violations. The board has authority to assess fines when violations not listed on the schedule occur.

Specific Violation/Violation Category	Amount/Range of Fine
Parking	\$50
Pets	\$50
Non-approved signs	\$50
Unregistered vehicles	\$50
Use of house for business purposes that negatively impact the neighborhood, including operating a boarding house type business for non-family members	\$50-\$500 depending on severity
Clutter and debris, including keeping trash/recycling/yard debris containers out of sight	\$50-\$1,000 depending on severity
Home exterior not maintained or in disrepair	\$50-\$2,500 depending on severity
Architectural standards, including failure to submit application for architectural change	\$50-\$2,500 depending on severity
Common property damage	\$50-\$5,000 depending on severity

Additional Information

Notice of violation letter

The notice of violation letter will specify the violation, describe the actions necessary to resolve the issue, and indicate the time period within which the violation should be corrected. All notice of violation letters are sent via United States Postal Service First Class.

Notice of fine letter

The notice of fine letter states the violation has not been corrected and that a fine has been issued. The letter states that the fine has been added to the homeowner's account and indicates that additional fines will be assessed if the violation is not corrected within another specified time period. All notice of fine letters are sent via United States Postal Service First Class.