

**LINCOLNSHIRE HOMEOWNERS ASSOCIATION**  
**Rules and Regulations**

**ARTICLE 1 - Violations/Enforcement Procedure**

**Section 1.1** To enforce the rules, the Board may levy monetary fines for violation of the governing documents.

Penalty levels/monetary fines for violations

First violation	Warning
Second violation	\$200
Third/Subsequent violations	\$300

An owner must correct the violation and bring the unit/lot/dwelling into compliance within <sup>14</sup> days of the date of notification. With respect to continued violation, each day on which a violation continues may be grounds for eviction and/or filing for injunctive relief or damages. Penalties assessed against a unit resident and/or unit owner shall be collectable as delinquent assessments.

**ARTICLE 2 - Dues and Delinquencies**

**Section 2.1** A \$75 late fee shall be charged to an owner for any month in which the assessment account is delinquent if not received by the 10<sup>th</sup> of the month.

**ARTICLE 3 - Due Process/Opportunity to be Heard**

Each owner, tenant, or occupant of a unit shall comply with the provision of the governing documents, as they may be amended from time to time and with all decision made by the Board or the Association pursuant thereto. Failure to comply shall be grounds for an action by the Board or the Association's managing agent on its behalf to recover sums due, damages, or injunctive relief, or any or all of them. To enforce the Rules and Regulations, the Board may also levy monetary fines.

The Board may give written notice of the violation, and state a reasonable period of time for correcting the violation. If the violation is not corrected within the time stated, the Board may itself make the correction, and any costs incurred in connection therewith shall be imposed on the unit owner and added to the monthly maintenance fee for the first month following the correction. Payment of such costs shall be enforced in the same manner as is provided for the enforcement of maintenance fees.

Prior to taking any enforcement action (other than the initial notice of violation), the Board will give the owner involved notice and an opportunity to be heard as follows:

The Board shall give written notice of the proposed action to all Owners, tenants, or occupants of the Units whose interest would be significantly affected by the proposed action. The notice must contain a general statement of the proposed action as well as the date, time and place of the hearing. The Board shall deliver notice at least five (5) days prior before a hearing. At the hearing, the affected person shall have the right, personally or by representative, to give

the collection of a delinquent account shall be assessed against the delinquent Lot and Owner and shall be collectable as an Assessment as provided in Article 7 of the Declaration.

**2.12.4 Payment Plans.** To the extent that the Association's Attorneys, in their discretion, consider it to be appropriate in the circumstances, they are authorized to enter into an installment payment plan, secured by a Stipulation for Judgment; provided, however, that any payment plan which provides for a down payment of less than the greater of one third (1/3) of the delinquent balance or twice the current monthly assessment, or monthly payments of less than twice the current assessment amount, or a duration in excess of six (6) months shall require the approval of the Board or Manager.

**2.12.5 Further Collection Action.** Where, at the expiration of the period specified in the Association's Attorneys' demand letter, an account remains delinquent and without a payment plan embodied in a signed Stipulation for Judgment or a signed agreement by a renter to pay rent, or in the event of a default under the terms of either agreement, the Association's Attorneys are authorized to take such further action as they, in consultation with the Board or Manager, believe to be in the best interest of the Association, including but not limited to:

**2.12.5.1** Recording a Notice of Claim of Lien against the Lot; or

**2.12.5.2** Filing suit against the delinquent Owner for money due pursuant to Section 7.12 of the Declaration; or

**2.12.5.3** Filing a proof of claim in bankruptcy; or

**2.12.5.4** Instituting a judicial action for foreclosure of the Association's lien, pursuant to Section 7.16 of the Declaration.

**2.13 Distribution of Resolution.** A copy of this resolution shall be sent to all owners at their last known addresses.

This resolution was adopted by the Board of Directors on , SEPT 24 2020, and shall be effective on SEPT 24 2020.

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President

ATTEST:

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Secretary