

LONGFORD VILLAGE EAST HOMEOWNERS' ASSOCIATION

VIOLATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS POLICY

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

1. **Determination of Violation.** enTrust Association Management and/or any member of the Longford Village East Board of Directors or Architectural Control Committee will make the final determination of whether a violation of the Protective Covenants (CC&Rs) exists.
2. **Curing the Violation.** If it is determined that a violation does exist the Homeowner will be sent a **First Violation Notice**, describing the violation, the applicable CC&Rs regulation that is being violated, and a requirement that the violation be cured within a reasonable time period.
3. **Uncured Violations.** If the violations 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 dated. must be postmarked within fourteen (14) days after the **Third Violation Notice** is mailed. Failure of the homeowner to request a hearing in writing within the required time period shall constitute a waiver of the right to a hearing. Such notice shall be deemed delivered if postmarked and mailed to:

Longford Village East Homeowners' Association
c/o enTrust Property Management
2823 Richmond Dr. NE
Albuquerque, NM 87107

4. **Hearing.** The Board of Directors will conduct the hearing at which hearing any or all of the following sanctions may be imposed:
 - A. Fine not to exceed \$100.00 per violation for a total not to exceed \$500. However, if the violation is not cured within fourteen (14) days or a longer period as may be established by the Board, the violation shall be deemed a continuing violation and the Board may impose an additional fine for the violation for each seven (7) day period of portion thereof that the violation is not cured. Any additional fine may be imposed without notice and an opportunity to be heard.
 - B. Cure of the violation, all cost of which will be charged back to the owner. If not paid the owner's property will be liened for the amount owed.
 - C. Injunctive relief against the continuance of such violations through the courts system; all cost will be charged to the owner.
 - D. Prohibit, for a reasonable time, the Member and tenant from
 - a. Voting
 - b. Using the common areas

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. A summary of the decision shall be included in the records of the Association and mailed to all parties involved.

If the homeowner does not cure the violation after the **Third Violation Notice** and does not request a hearing, the Board has the authority and discretion to impose any or all of the sanctions above.