



February 23, 2015

Dear Creekside Homeowners:

Creekside Village East was established in 1984 as a planned community with guiding rules and regulations to maintain the appearance of the community. Upon purchasing your property, a copy of the Creekside Village East Covenants, Conditions & Restrictions (CC&R's) should have been provided to you. If you do not have a copy of the CC&R's, they are available on the [Creeksideeast.com](http://Creeksideeast.com) website. In an effort to keep Creekside Village East community aesthetically pleasing and to promote compliance of the CC&R's, the Creekside Village East Board of Directors approved a revision to the violation process during the December 2014 Homeowners Association (HOA) meeting.

### **Creekside East CC&R's Violation Process (Revised December 10, 2014)**

Violations can include, but are not limited to; changes to the resident's architectural structure (done without approval, incomplete project, & substandard work), property maintenance, nuisance issues, unsightly items, temporary structures, parking, and structural maintenance of property within Creekside Village East. Violation letters are sent out once a month. If you have received a violation letter please note that you are given time to: contest violation, progress on violation, and to resolve a violation. If fines assessed for property violations are resolved in a timely manner (as stipulated below) they will automatically be waived. Creekside Village East needs the support of homeowners to make sure properties are well maintained, structurally sound and aesthetically pleasing.

### **VIOLATION PROCEDURES**

**Step 1 - Violation Letter** is sent to homeowner describing violation, and providing homeowner 14 days to respond to violation letter or to correct violation.

- If violation has been **RESOLVED** within 14 days the violation is closed and no fines are assessed.
- If **NO RESPONSE** is received from homeowner within the 14 days allotted to respond, the violation process moves to Step 2 – sending out Violation Hearing letter.

**Step 2 - Violation Hearing Letter** is sent to homeowner, requesting they attend a hearing with the HOA Board of Directors. Violation hearing letters will include the date, time and location the homeowners are scheduled to meet with the HOA Board of Directors.

- **RESPONSE to Violation Hearing Letter** - Homeowners can select to respond to the violation hearing they receive by either attending the scheduled hearing or by contacting Vintage Management. Homeowners should inform the HOA Board of Directors on the status of their violation; noting completion, or requesting an extension of time to correct violation.
  - **REQUESTING an extension** is for more time needed by a homeowner to correct a violation. Fines will be assessed when first 30 day extension is granted and continue until violation is corrected. Fines accumulated on homeowners account will automatically be waived if extension timelines are met.
    1. "Minor" violation- a 30 day extension is provided to correct violation [one additional extension is granted only if progress is noted.]
    2. "Major" violation – a 30 day extension is provided [two additional extensions are granted only if progress is noted ]

DEFINITIONS: **Minor violations** include but are not limited to – yard maintenance, clean driveway, painting wires exposed on home, clean inoperable vehicles, minor fence repair, unsightly items on property, minor mailbox repairs, etc.

**Major violations** include but are not limited to painting house, roof repair, repair/replace fencing, replacing mailbox, etc.

- **NO RESPONSE to violation hearing letter** – If there is no response by homeowner to hearing letter, fines will be assessed according to the fine schedule listed below and the City of Ontario Code Enforcement will be notified. If after 3 months the violation has not been corrected the violation process will progress to Step 3/Civil Action.
- **FINES**
  - HOA Board of Directors conducts hearing to confirm violation and set fine(s)
  - Fine letter sent
  - Fine letters continue until violation is resolved or civil action is taken
  - If the violation is of a continuing nature, fines may accrue without further hearings until violation is corrected.
    1. Fine Schedule
      - a. Month 1– A violation fine of \$25 a month will be assessed to homeowner account until violation is corrected.
      - b. Month 2- A violation fine of \$25 a week will be assessed to homeowner account until violation is corrected.
      - c. Month 3- A violation fine of \$25 a day will be assessed to homeowner account until violations is corrected.

### **Step 3 - Civil Action**

- a.) **Internal Dispute Resolution** (meeting with HOA Board)
- b.) **Alternative Dispute Resolution** (meeting with ADR representative/cost incurred)
- c.) **Legal Action** – Homeowner violation sent to lawyer (legal fees accrue)
- d.) **Small Claims Court** – for minor violations
- e.) **Court/Legal Action** – for major violations

### **AUTOMATIC FINES** – (1) Architectural additions made to exterior of homes without approval

will incur an automatic fine of \$25.

(2) Trash can(s) left out in front of your property will automatically incur a fine of \$25. These fines will only be waived for first time trash can violations, all subsequent trash can violations will incur an automatic \$25 fine and will not be waived.

(3) Christmas light violations will incur an automatic fine of \$25 for lights hung up two weeks prior to Thanksgiving and for lights not taken down by January 31<sup>st</sup>.

Thank you for doing your part in keeping Creekside Village East community looking good and making it a pleasurable place to live and raise a family. If you have any questions regarding the revised violation process please contact Vintage Management at (909) 923-2924 or attend the monthly Creekside Village East HOA meeting every 2<sup>nd</sup> Wednesday of the month. The meeting is located at Creek View Elementary School and begins at 6:30 p.m.

Sincerely,

Board of Directors  
Creekside Village East Master Homeowners Association