

RESOLUTION OF THE BOARD OF DIRECTORS OF
HIGHLAND GREENS CONDOMINIUM OWNERS ASSOCIATION
REGARDING ENFORCEMENT PROCEDURES AND FINE SCHEDULE

WHEREAS, the Board of Directors has the authority to adopt enforcement procedures and a fine schedule for violations of the Association's governing documents pursuant to RCW 64.34.304(1)(k), and

WHEREAS, the Board of Directors has considered the attached enforcement procedures and fine schedule and a majority of the Board of Directors approves same for adoption, wherefore,

BE IT RESOLVED that the Board of Directors hereby approves and adopts the attached enforcement procedures and fine schedule; and

BE IT FURTHER RESOLVED that once the attached enforcement procedures and fine schedule are sent to owners, they shall go into effect and shall supersede any previously adopted enforcement procedures and/or fine schedules.

Adopted this 29 day of January, 2026.

BOARD OF DIRECTORS

By: Ann E. Dutton *Ann E. Dutton*
Its: President

HIGHLAND GREENS CONDOMINIUM OWNERS ASSOCIATION

ENFORCEMENT PROCEDURES AND FINE SCHEDULE

1. **Authority.** The Board is authorized and empowered to investigate, hear and determine all complaints concerning violations of the governing documents or of any decision of the Board made as provided in the governing documents. The Board is further authorized and empowered to impose fines as may be allowed in amounts not to exceed the maximum rates established on any person whom it finds to have violated the governing documents.
2. **Informal Dispute Resolution Preferred.** It is the intent of the Association that an informal process be encouraged prior to the initiation of a formal complaint. To that end, any owner, tenant, occupant or employee or agent of the Association has the authority to request that an owner, tenant or occupant of any unit cease or correct any act or perform any omission which appears to be in violation of the governing documents or of any decision of the Board made as provided in the governing documents. The informal request should be made, either verbally or in writing, prior to initiation of the formal complaint process. However, nothing in this paragraph should be construed as a requirement or condition to making a complaint.
3. **Complaint.** If the dispute or violation is not resolved informally then a written complaint may be filed. The complaint shall contain a statement of the problem necessitating the complaint setting out in simple and concise language the acts or omissions with which the alleged violator (referred to as the "respondent") is charged. The complaint should identify the individual who is filing the complaint and their unit number, if applicable. The complaint should also identify the specific provisions of the governing documents or decision of the Board which the respondent is alleged to have violated. The complaint shall state as many of the specifics as are available regarding time, date, location, nature of violation, persons involved, etc. The complaint may also state the efforts which were made to resolve the matter informally. The NOTICE OF WARNING, INFRACTION AND/OR FINE form, attached hereto, or similar form ("Notice of Violation") may serve as the complaint.

The Board will investigate its validity and take appropriate action, which may include but not be limited to sending the Notice of Violation to the respondent, assessing a fine, scheduling a hearing, and/or proceeding with legal action. The Board reserves the right to reject/refuse to take action on any complaint that in its sole discretion it determines to be frivolous, is anonymous, is intended for the purpose of harassment, is vague and/or lacking necessary details, or is not in the best interest of the Association.

4. **Appeal.** Any owner or resident has the right to appeal fines imposed by the Association provided that they request a hearing within fifteen (15) days after the Association sends the Notice of Violation. In such case, imposition of any fine imposed will be suspended pending determination of the appeal by the Board. Requests to appeal a fine must be

submitted to the Association in writing, by first-class mail to the Association's management company. At the Board's discretion, hearings may be conducted telephonically, orally, and/or in writing.

5. **Default.** Respondent may reschedule a hearing once as a matter of right by notifying the Association in writing at least forty-eight (48) hours prior to the hearing of their inability to attend. The failure of one party to appear at a hearing, where that party prior to the hearing has failed to show good cause why the hearing should be rescheduled, does not preclude the Association from proceeding with the hearing, receiving evidence from and hearing arguments by the other party and making a decision in the matter. Upon failure of the complainant to appear, the Board may, in its discretion, drop the matter.

6. **Hearing Procedure**
 - 6.1 **Conduct of Hearing.** The hearing shall be heard by the Board who shall preside over the conduct of the hearing and shall make any necessary evidentiary rulings. The respondent shall appear in person or by a duly authorized representative. The hearing shall be informal. At the beginning of the hearing, a member of the Board shall explain the rules and procedures by which the hearing is to be conducted, including but not limited to, setting time limits as it deems appropriate.

 - 6.2 **Order of Proceedings.** Unless otherwise determined by the Board, the order of proceedings shall be as follows:
 - (i) Each party to the proceeding will be entitled to make an opening statement.
 - (ii) Each party will be entitled to produce evidence, witnesses and testimony.
 - (iii) Each party will be entitled to make a closing statement.
 - (iv) Any member of the Board may question any party or witness. Board members may, on their own motion, call additional witnesses or secure evidence.

 - 6.3 **Rules of Evidence.** Any relevant evidence which is not privileged is admissible regardless of whether the evidence is hearsay or otherwise inadmissible in a court of law.

7. **Decision and Order.** At the next Board meeting following the hearing, the Board shall meet in executive session to deliberate and then vote on any decision in open session. Upon a decision by the Board that a violation has occurred, the Board may order that the respondent shall do or refrain from doing any act necessary to cause the respondent to comply with the provisions of the governing documents and/or any decision of the Board. The Board may provide in its order for the imposition of a reasonable fine not to exceed the maximum amounts set herein. The Board may also provide for continuing

finer in the event that the respondent does not comply with the order of the Board, including the payment of the fines, within the allotted time. Any fine or charge so imposed by the Board shall be the personal obligation of the person against whom it is imposed, shall constitute a lien upon the unit owned or occupied by that person, and may be collected in the manner provided in the Declaration and/or state law in same manner as for assessments.

8. Judicial Enforcement. Failure to comply with a decision of the Board following notice of a violation and an opportunity for a hearing shall be grounds for an action by the Association to recover sums due for damages, which shall include any fines levied by the Board and any costs incurred by the Association in connection with the proceedings before the Board, or for injunctive relief, or both, maintainable by the Association. In any action brought as provided in this Section, the prevailing party shall be entitled to recover as part of its judgment a reasonable sum for attorney fees incurred in connection with the action, in addition to its expenses and taxable costs.
9. Fine Schedule. The Board will enforce the following fine schedule for violations of the Association's Governing Documents, including, but not limited to, the Declaration, Bylaws, Rules & Regulations, and any decision of the Board:

1st violation: Warning and/or up to \$100 fine, unless otherwise provided in specific Rule.

2nd violation of the same provision: Fine up to \$200, at the Board's discretion, unless otherwise provided in the specific Rule.

3rd or subsequent violation of the same provision: Fine up to \$300, at the Board's discretion, unless otherwise provided in the specific Rule.

Continuing Violations. Each and every day a violation continues shall be considered as a separate offense and will be subject to an additional fine of \$10 per day, beginning ten (10) days after the owner is notified of the fine until the violation is corrected.

Fines are an assessment per RCW 64.34.020(3).

NOTICE OF WARNING, INFRACTION AND/OR FINE

TO: _____, respondent

UNIT ADDRESS: _____

This is to notify the respondent that the Association has received a complaint against the respondent concerning violation of the governing documents of the Association as follows (state with specificity the nature of the violation and the pertinent Declaration provision, rule, regulation, etc.):

Check one or more of the following, as applicable:

This is a Notice of Warning. You have _____ days to either correct the infraction and/or remove the violating condition. If you fail to do so, then the Association will proceed with formal enforcement.

The respondent has previously been sent a Notice of Warning concerning the above stated infraction but has failed to correct the situation.

The respondent is assessed a fine of \$ _____ under the authority of the most recent resolution of the Board for fines to be imposed in the case of infractions. The fine is is not a continuing fine. (A continuing fine is one that can be imposed in the above stated amount for each and every day, month or other specified time period that the infraction which is the subject of this Notice continues.)

Imposition of the above fine is suspended for _____ days (no less than five (5) days). If the infraction is corrected within that time, then the fine will be rescinded.

The Board has set this matter for a hearing. See accompanying Notice of Rights and Hearing Before Board. At the hearing, the Board will decide the validity of the infraction(s) and fine(s) to be imposed, if any.

Right to Appeal. If this is other than a Notice of Warning, you have the right to appeal the action taken above to the Association's Board of Directors. In such case, imposition of any fine imposed will be suspended pending determination of the appeal by the Board. If you wish to appeal, you must deliver written notice of the same to the Association's Secretary or the Association's Manager within fifteen (15) days after service or delivery of this Notice to the respondent. The request for appeal will not be deemed to have been delivered until actual receipt by the Association's Secretary or the Association's Manager.

Signed: _____

Date: _____

Title: _____