

Heather Lake Homeowner Association Policy Manual

Date: Dec 16, 2006

Introduction

1. This Policy Manual is a supplement to the Covenants; Bylaws and Rules and Regulation of Heather Lake Homeowner Association
2. This Policy Manual is a summary, an update and elaboration of polices and procedures that have already been adopted and practicing by the Heather Lake Homeowner Association Board of Directors since the establishment of Heather Lake Homeowner Association
3. This Policy Manual is a collection of polices that have been previously approved and adopted by the Board of Directors; and published in past Newsletters
4. The current Rules and Regulations is posted on the web site <http://www.geocities.com/heatherlakes/>
5. The Covenant and Bylaws will take precedent over the Policy Manual and Rules and Regulation.

Definition

Heather Lake Homeowner Association herein known as “HLHOA”

The Board of Directors of Heather Lake Homeowner Association herein known as the “Board”

1.0.0 Homeowner Dues Collection Policy

1.1.0 Homeowner Dues Collection

- 1.1.1 Homeowner dues are collected semi-annually; January and July. The semi-annual amount is \$175 or the annual amount is \$350. Homeowners have the options to pay their due semi-annually or annually. If a homeowner chooses to pay the full annual amount in a single payment; the payment must be paid during the January (the first) assessment.
- 1.1.2 The community management company must mail out invoice to homeowner no later than the first week of January and July.
- 1.1.3 Homeowner has 30 days to pay homeowner due.
- 1.1.4 The community management company will send out overdue and reminder notices to delinquent homeowners/accounts.
- 1.1.5 Without exception; when the accrued total of the delinquent accounts exceeds the limit of \$600; the delinquent accounts will turn over to the lawyer representing HLHOA for collection.
- 1.1.6 The legal action taken by HLHOA’s lawyer will include but not limited to turn over the case to agency specialized in collecting delinquent funds, litigation, and filing of liens and such.
- 1.1.7 HLHOA will take all legal means available to collect outstanding funds.

1.2.0 Late Charges and Return Check

- 1.2.1 Assessment, including but not limited to Dues and Fines; not received by the community management company or by a Board member on or before the tenth (10) days past the due date are subject to a **\$35** late charge. (Raised from \$25 to \$35).
- 1.2.2 Any check returned to HLHOA by the bank, including but not limited to Non-Sufficient Fund or Stop Payment, will incur a \$10 charge **or the actual cost** incurred; whichever is higher

1.3.0 Delinquent Account Payment Plan

- 1.3.1 The homeowner of the delinquent account can submit a Payment Plan through the community management company to the Board for review and approval.
- 1.3.2 The payment plan must be able to show the delinquent account can be pay up in a reasonable amount of time.
- 1.3.3 The payment plan must contain the following details at a minimum; the first payment date; the last payment date; monthly or installment payment amount; frequency of payment and the total duration of the payment plan.
- 1.3.4 The homeowner of the delinquent account must participate in good faith and make payments according to the approved payment plan. Legal action and collection of outstanding funds will resume if there is any default in the payment plan.
- 1.3.5 The Board will review and approve each payment plan on a case by case basis.
- 1.3.6 The Board has the sole discretion to approve/disapprove any payment plan.

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2.0.0 Architectural Review Committee (ARC)

2.1.0 ARC Application Approval Process

- 2.1.1 Homeowner must submit application to ARC for approval for any exterior modification work, (herein known as the Work), as stipulated in the Covenants, Bylaws and Rules and Regulations. Exterior modifications work include, but are not limited to painting, house that need to be re-painted; fence, expansion or construction of decks, patios, shed and etc. Any unapproved work will result in fine.
- 2.1.2 The ARC application must contains details such as detail description of work; start date and completion date, color sample or chips; manufacturer, catalog; sketches and the like. Application will be rejected if there is insufficient information provided.
- 2.1.3 It is the sole responsibility of the homeowner to obtain building permits; ensure the work will comply with building code and all applicable laws; coordinate with neighbors if the neighbors will be affected by the work.
- 2.1.4 Homeowner will send their ARC application to the community management company; and the community management company will forward the ARC application to the Coordinator of HLHOA. The Coordinator can be a Board or ARC member as appointed by the Board.
- 2.1.5 The Coordinator will put together the approval package which includes the original application form and attachments; and approval review form.
- 2.1.6 The approval package will circulate among the Board and ARC members for review, comment and approval or disapproval.
- 2.1.7 The Board and ARC have sixty (60) days to review, approve or disapprove an application. Nevertheless it is the goal of the Board to have the application turns around at the earliest possible time.
- 2.1.8 The approval or disapproval of the application is a collection of ideas of the Board and ARC which reflects the acceptable community standard of HLHOA
- 2.1.9 The approval or disapproval of an ARC application should be based on the majority of the vote of the Board and ARC during the aforementioned Application Approval Process. However the Board has the final decision on the approval or disapproval of any ARC application.
- 2.1.10 The Coordinator will notify the community management company about the decision of the application; and the community management company will accordingly notify the applicant about the result of their application.

2.2.0 House Re-painting

- 2.2.1 Regardless the exterior of house will be painted with original color or not; the homeowner must complete the ARC application form and submit a set of color sample or chips for approval.
- 2.2.2 This policy was approved and adopted by the Board; and published in the Spring Newsletter. of 2004.

2.3.0 Fines on Exterior Modification Violations

- 2.3.1 All exterior modification must be approved by the Board and ARC.
- 2.3.2 Any unapproved exterior modification will result in \$100 fine even if it is later approved by the Board and ARC. In order to avoid the \$100 fine, the unapproved exterior modification must be undone and obtain approval from the Board and ARC.
- 2.3.3 All violations and non-compliances will incur fines ranging from \$25 to \$100 monthly. The fines will accumulate until compliance; and HLHOA will use all legal means available to ensure compliance of the Rules and Regulation, Covenants and Bylaws.
- 2.3.4 This policy was approved and adopted by the Board; and published in the Fall Newsletter. of 2004.

2.4.0 Appeal of Fines

- 2.4.1 Residents can appeal any fine to the Board.
- 2.4.2 The appeal process is stipulated in the Covenant.