



Summerfield Property Owners' Association

110 Whispering Oaks Drive

Longs, SC 29568

office@summerfieldpoa.org

<https://summerfieldpoa.org>

VIOLATIONS RESOLUTION

Revised and approved 01/07/2024

WHEREAS, *The Summerfield Subdivision Property Owners' Association, Inc. duly organized and existing under the laws of the State of South Carolina and hereafter referred to as the "Association"*

WHEREAS, *the Board of Directors, acting in accordance with the Declaration of Restrictions and Protective Covenants of the Association and within the powers granted to them by those documents*

NOTE: *This resolution shall replace the current "Violations Policy" dated 6/8/2021.*

RESOLVED, *that the Board of Directors voted and approved on January, 7, 2024 to clarify the following:*

- Article XIII, Section 2. "Enforcement"(p.32/37) "Rules and Regulations" of The Declaration of Restrictions and Protective Covenants and Exhibit "D" of The Declaration of Restrictions and Protective Covenants-By-Laws Article III "Board of Directors, Section 23. "Enforcement" (p.15/20) establishes the Board's ability to impose fines and other remedies for violations of the restrictions, covenants and rules and regulations, including Architectural Review violations. Payment of any fines issued will only be accepted upon compliance and the infraction is corrected.
- The Summerfield Executive Board has established the following Violation Policy:
 - **First Occurrence** - Written Warning/ Advisory letter.
 - **Second Occurrence** or Non-Compliance to Advisory= **\$50.00** fine & proof of compliance.
 - **Third Occurrence** or Non-Compliance to 2nd =Additional **\$100.00** fine & proof of compliance.
 - **Fourth Occurrence & Subsequent Offenses** of Non-Compliance after 3rd occurrence=Additional **\$150.00** fine & proof of compliance.
- **Payment for Fines and Late Fees:**
 - Individual Fines and Late fees must be paid in full.
 - Partial payments for multiple fines and late fees are allowed as follows:
 - The homeowner shall be responsible for submitting a written request to the Secretary for permission to make a partial payment. The written request will include the amount that the homeowner wishes to pay.
 - The Secretary shall determine the amount necessary to cover the following payment requirements:
 - Partial payment will be applied to the most outstanding fines and late fees.
 - Partial payment is only accepted for the complete amount that satisfies the current balance on the most outstanding fines and late fees.
- **Right to Cure:** There shall be a ten (10) day period to "cure" the violation between the advisory warning and Non-Compliance letter and between each subsequent fine.



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- **Late Fee:** Fines shall be paid no later than thirty (30) days after issuance (p. 34/37). If a fine remains unpaid after 30 days, a late fee of 18% on the outstanding balance shall be charged.
- **Lien:** In the event that a homeowner's accumulated fines should exceed \$1,500, the Board, shall reserve the right to place a lien on the property. The property owner shall be responsible for any reasonable attorney's fees and other costs associated with this action.
- **Annual Maximum:** A property owner may not be fined more than \$1,500.00 in a calendar year (Jan 1-Dec 31) however this does not absolve a HO of any prior year fines.
- **Calendar Reset:** January 1 of each year, property accounts reset ('slates get wiped clean') provided HO does not have an active violation on their property. Any outstanding fines are still due to the POA and collectible.
- **Loss of Voting Privileges:** HO's with outstanding fines and fees forfeit their voting rights until all debt is settled.
- **Appeal:** Property owners should refer to Article XIII (p.33/37) for information regarding appeals.
- **Self-Help:** The Board reserves the right to avail themselves to any and all other remedies granted to them in the Master Document, including but not limited to "Self Help" (Article XIII, Section 3(d), p.33/37 & Article III, Section 6, p.13/37).

Signed

January 7, 2024

Date

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