

# BOARD POLICIES

West Meadows Estates  
Homeowners Association Inc.

Fee and Fine Policy

Effective: 9-30-2024

By:   
Mike Eastlund, Board President

**Policy 102**

## 1. PURPOSE

Provide enforcement procedures with a schedule of fees & fines for the Association pursuant to powers granted in ORS 94.630.

## 2. PERSONS AFFECTED

Property owners, Board members, officers, employees, and contractors of the Association

## 3. REFERENCES

3.1. ORS 94.630, 94.550, 94.783, 94.709, 94.652 (2).

3.2. WMEHOA CC&R'S

## 4. DEFINITIONS

4.1. **Assessment:** Any charge imposed or levied by the Association on or against an owner or lot under the declaration or the bylaws of the planned community provisions of ORS 94.550 and 94.783. This includes, but is not limited to, dues, fees, administrative costs and charges, fines, collection costs, and attorney's fees.

4.2. **Address of Record:** The address provided as required by a member of the Association in person, by electronic mail, or to the Association's mailing address.

## 5. POLICY

5.1. The Board will determine the fines, fees, and lien charges to be published in Appendix(A).

5.2. Board-established fees and fines shall be assessed against the property and its owner for violations of the CC&Rs, Bylaws, Board Policies, and rules and regulations.

5.2.1. The Board shall approve the assessment of legal fees against a member.

5.3. Members shall be responsible for any fines resulting from violations caused by any tenant, guest, service provider, or occupant of such owner's lot.

5.4. The Board shall levy no fine until written notice of violation has been sent to the owner at the address of record via US Mail.

# BOARD POLICIES

West Meadows Estates  
Homeowners Association Inc.

Fee and Fine Policy

Effective: 9-30-2024

By: 

Mike Eastlund, Board President

**Policy 102**

- 5.4.1. Exception: 5.4 does not apply when a member refuses delivery or if properly addressed US Mail is returned by the post office as undeliverable.
- 5.5. A first notice of violation letter shall allow the member ten or more days to appeal, remedy the violation, or submit an improvement plan.
- 5.6. When a member fails to respond to a first letter, a second notice of violation shall be sent via US Mail, including a copy of the first violation notice with an additional ten days for correction.
- 5.7. When a member does not respond as required to a second notice, a fine notice shall be sent via first-class mail advising the member that fines are being assessed retroactively to the date of the first letter. Fine notices shall include all previous mailings.
- 5.7.1. After assessing a fine, the Treasurer shall send an invoice and statement on the last day of each month.
- 5.7.2. Once a violation is corrected, a statement showing the full amount owed shall be sent to the member.
- 5.8. The standards committee chairperson or Secretary, with authorization from the Board President, may act for the Board to:
- 5.8.1. Initiate legal action to attain compliance.
- 5.8.2. Defer, delay, suspend, modify, or cancel fines and fees when, in their opinion, the Board would concur.
- 5.9. The Board can reverse, cancel, or amend any fine but may not increase it beyond the amount identified in Appendix "A" of fee and fine policy NO. 102.
- 5.10. The Board may immediately levy a fine or reassess a suspended fine for members violating the same rule within 180 days from the date of correction per the schedule provided herein.
- 5.10.1. A second violation within 180 days for a fine must include letters for the previous violation.
- 5.11. If a violation is not corrected within thirty days of notification of a fine, an additional fine may be assessed for allowing the violation to remain without a

# BOARD POLICIES

West Meadows Estates  
Homeowners Association Inc.

Fee and Fine Policy

Effective: 9-30-2024

By:   
Mike Eastlund, Board President

**Policy 102**

conditional use permit.

5.12. The maximum cumulative fine is \$2,000.00 per violation per year.

5.13. A member's appeal of a fine shall be sent to the HOA address of record via US Mail postmarked no later than ten days after the date on the fine letter.

## 6. RESPONSIBILITIES

6.1. The Board is responsible for maintaining a schedule of fees and fines.

6.2. The Secretary posts the fee schedule and fines on the website.

6.3. The Secretary is responsible for administering all appeals of fines or fees and, when necessary, forwarding the appeal to the Board for action.

6.4. The Treasurer is responsible for preparing and mailing invoices and statements for assessed fines to the address of record by US Mail.

6.5. The member appealing a fine is responsible for following this policy.

## 7. PROCEDURES

7.1. The person responsible for notifying members of violations or fines shall mail the notice to the member's address of record.

7.2. A member appealing a violation, fee, or fine must appeal in writing to the Board or Treasurer within the allotted time for correction via US mail to the HOA address of record.

7.3. The custodian of records shall retain all notes, photographs, and documents regarding the enforcement reports in the appropriate property file

**BOARD POLICIES**West Meadows Estates  
Homeowners Association Inc.**Fee and Fine Policy**

Effective: 9-30-2024

By:   
Mike Eastlund, Board President**Policy 102****8. APPENDIX "A" Fee and Fine Schedule**

REASON FOR FINE	First Fine	Continuing Violation Cycle
Trash containers at the curb over 48 hours	\$50.00	One Week
Unscreened storage of any materials on lots or yards around the main structure.	\$50.00	One Week
Failure to maintain, irrigate, or fertilize lawns	\$75.00	One Week
Failure to control weeds in lawn or plant beds	\$50.00	One Week
Failure to cut weeds or remove trash from vacant properties not next to developed properties	\$50.00	One Week
Failure to cut weeds or remove trash from properties next to developed properties	\$100.00	One Week
Failure to screen as required	\$50.00	One Week
Unpermitted recreational or commercial vehicles on the street or driveway over 8 hours	\$50.00	Each Event
Failure to remove holiday decorations within 30 days of the affected holiday	\$50.00	Two Weeks
Nuisance noise violation	\$50.00	Daily
Failure to control a vicious dog	\$100.00	Daily
Failure to complete construction within one year	\$250.00	Monthly
Failure to complete landscaping within six months of occupancy or one year from the start of construction	\$250.00	Monthly
Failure to maintain the exterior paint finish	\$250.00	Monthly
Allowing or maintaining a property or activity that does not comply with CC&R's or Board policy without a conditional use permit.	\$250.00	Monthly
Failure to acquire prior ACC approval when required ( <u>minor</u> )	\$100.00	One Time
Failure to acquire ACC approval to remove a legacy tree	\$100.00 per /in diameter	One time
Failure to acquire ACC approval before new construction or remodel ( <u>major</u> )	\$500.00	One Time
Failure to acquire ACC approval before applying roofing, paint or masonry on new construction	\$200.00	Each Occurrence
Failure to follow ACC-approved plans	\$250.00	Each Occurrence
Violation of construction noise hours	\$50.00	Daily after one warning
Construction site trash violation	\$50.00	Daily after one warning
Non-approved commercial activity in residence	\$200.00	One Week

**BOARD POLICIES**

West Meadows Estates  
Homeowners Association Inc.

**Fee and Fine Policy****Policy 102**

Effective: 9-30-2024

By:   
Mike Eastlund, Board President

REASON FOR FEE	FEE	Continuing Cycle
Permit to allow non-compliance to CC&R standards	N/C	N/C
Plan review fee, new construction bare lot	N/C	One Time
New construction refundable compliance fee	\$2,000.00	One Time
Professional reimbursement	Actual	Each Occurrence
Late fee for failure to pay assessments, dues, fines, or fees by due date	\$25.00	Monthly
NSF Returned check fee	\$35.00	One Time
Fee to initiate collection with attorney	\$250.00	One Time