

HONU ALAHELE HOMEOWNERS ASSOCIATION

SCHEDULE OF FINES FOR VIOLATIONS OF PROVISIONS OF DECLARATION, BY-LAWS & REGULATIONS

I. Amount of Fines

- First Offense – a written citation given or sent to the owner
- Second Offense - written citation given or sent to the owner and a \$25.00 fine assessed against the owner.
- Third Offense – a written citation given or sent to the owner and a \$50.00 fine assessed against the owner.
- Fourth and subsequent offenses – a written citation given or sent to the owner and a \$100.00 fine assessed against the owner for each offense.

Second, third, fourth, and subsequent offenses need not be for a violation of the same provision before a fine is imposed.

II. Payment of Fines and Liabilities

Owners shall be liable for their own fines and for fines assessed against their tenants and their tenants' guests, family members, agents, or employees. Unless appealed as permitted below, the owner must pay a fine to the Association within thirty (days) after the fine is assessed; the fine shall be deemed a common expense chargeable against the owner's lot. The Association may file a lien against the owner's lot of the unpaid fines and may collect the unpaid fines under the procedures provided in the governing documents for collection of delinquent assessments. The owner shall also be assessed a late fee of \$25.00 for each month the fine remains unpaid, unless the board votes to suspend or cancel the fine.

III. Appeal of Fines

Citations may be appealed as set forth

- Appeals may be made within fifteen (15) days of a citation or fine by mailing or delivering written notice of the appeal to the Board or Managing Agent.
- The notice must contain a copy of the citation, a statement of the facts of the copies of any proposed exhibits. The owner or tenant may appear at a Board meeting to provide more information or the Board may ask the person making the appeal to appear.
- The Board may reduce, suspend or cancel a citation or fine and deliver written notice of their decision within sixty (60) days of the receipt of the notice of appeal.
- Pending an appeal to the Board, an owner need not pay a fine and no lien will be imposed on an owner. However, unless the Board votes to reduce, suspend or cancel a citation or fine, filing a notice of an appeal will not halt the accrual of late fees or fines imposed for the offense which is the subject of the appeal.

Adopted by the Board of Directors on August 31, 2004