

# Gold Lake Estates Home Owner's Association

## Vandalism Covenant Enforcement Policy and Procedure Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

### **1. Scope:**

To adopt a procedure and policy outlining procedures to be followed for enforcing policies rules and regulations and other governing document of the Association pertaining to destruction of property and vandalism committed against the HOA or its assets.

### **2. Specifics:**

Vandalism and Destruction of Property Violations may be observed by the Board of Directors, the management company, a committee member or reported via written correspondence through e-mail, fax or mail service. The complaint must state specifically the violation observed and include who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information such as license plate numbers etc.

If full details are not provided with a complaint, further action beyond additional observation cannot be made. The Board will investigate the complaint further and will make additional observations if required.

If a complaint is found to be in violation of a municipal code, the complaint will be forwarded to the appropriate authorities.

If a Vandalism or Destruction of Property violation is found and documented the following actions will be taken:

- A letter will be sent to the owner (and tenant if it is known that the unit is being used as a rental) stating that a violation has occurred. This letter will allow the unit owner to forward documentation if they believe the violation did not occur. The unit owner will have 10 days to respond to the letter or to correct the violation.
- If the violation is not contested or disputed, a fine of \$500.00 for the first occurrence shall be levied against the member in question.
- If the violation is disputed, and at the hearing it is found that the violation did (does) occur, the Owner will be charged \$500.00, due immediately upon completion of the hearing. All normal late fees shall be assessed for late payment.
- For any second Vandalism or Destruction of Property violation, the fine is \$1,000.00. If a hearing is not requested by the owner within 7 days of the second violation, payment will be due immediately and normal late fees shall be assessed thereafter.

