

**THE CANNERY NEIGHBORHOOD ASSOCIATION  
VIOLATION ENFORCEMENT PROCEDURE & FINE SCHEDULE**

A violation is defined as an act in conflict with the Declaration of Covenants, Bylaws, Community Rules, Architectural Rules or any other policies and procedures established by the Board of Directors (“Governing Documents”). Please be sure to read all Governing Documents carefully and keep them available for easy reference.

1. Based on a management site review, security patrol report or any other third-party written communication, a letter will be sent to the Owner, or violating resident and non-resident Owner if applicable, stating the alleged violation of the Governing Documents.
2. Owners are legally responsible for the actions of guests, tenants, or tenant’s guests. A letter may be issued to a tenant for a violation of the Governing Documents; however, the Owner assumes all liability arising from a violation by the Owner’s guest, tenant, or tenant’s guest.
3. If the alleged violation continues, a second letter will be sent to the Owner, or violating resident and non-resident Owner if applicable, which may request the Owner, or violating resident and non-resident Owner if applicable, attend a formal Hearing (at a date set a minimum often (10) days from date of invitation) before the Board of Directors or other assigned association representative in accordance with *Civil Code* §5975 or otherwise by law.
4. The Board of Directors reserves the right to invite an Owner, or violating resident and non-resident Owner if applicable, to appear at a Hearing without previous notice for any alleged egregious, repeated or health and safety violation.
5. The Owner will be notified as to the decision rendered by the Board of Directors as a result of the hearing within fifteen (15) days of the hearing date, whether or not the Owner attended the Hearing. If the result of the Hearing imposes a monetary penalty to the Owner's account, said Owner is deemed a member not in good standing until the violation is cured and fines paid in full.
6. If the Owner is found to be in violation of the Association's governing documents, the Board of Directors will: (a) levy a monetary fine; (b) hold a fine in abeyance pending a future repeat of said violation; (c) levy a Special Assessment; (d) suspend the Owner's voting privileges as a member; (e) suspend the Owner's rights to use the recreation common facilities; (f) enter upon a Lot to perform maintenance which is the responsibility of the Owner; (g) record a notice of noncompliance if allowed by law, or; (h) a combination thereof.

7. Fine Schedule:

- (a) **First Violation**..... **Courtesy Notice**
- (b) **Second Violation**..... **\$50.00**  
(Similar violation within six months of first violation)
- (c) **Third Violation**..... **\$100.00**  
(Similar violation within six months of second violation)
- (d) **Fourth and subsequent violations**..... **\$200.00**  
(Similar violation within six months of third or subsequent violations)

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8. If the violation continues or is an annual repeat violation (i.e. RV or boat parking, Holiday lights, etc.), additional hearing will be scheduled with the Owner and the fines may be doubled or escalated with each hearing at the Board of Director's discretion. Any fines not paid may result in legal action in accordance with California law.
9. If the result of the hearing imposes a financial obligation on the Association, the Owner will be billed a Special Assessment to reimburse the Association for this financial obligation and related administrative fees in accordance with Section 13.5.7 of the Declaration of Covenants. Examples: Association has to provide service to a Lot for failure of the Owner to maintain or repair fencing or to repair damage to Common Area caused by an Owner or their guests or tenants.
10. The Board of Directors reserves the right to authorize management staff or other third-party agents to suspend rights of an Owner/resident member to use the Cannery Clubhouse facilities at any time for disruptive behavior, violation of health and safety rules or for causing damage to the Clubhouse facilities. The suspension will be reviewed by the Board of Directors, which will determine when or if suspension will be removed and/or impose further action or fines.
11. At any time during the Board of Director's efforts to enforce a violation and to gain an Owner/resident member's compliance with the Governing Documents, the Board of Directors may determine that it is in the Association's best interest to expedite the resolution of the matter through the use of formal legal action. The Board of Directors may choose to use alternative dispute resolutions or cause correction of the violation to effect a cure and the Owner may be responsible for legal fees and/or reimbursement of costs to the Association.