

NEW OAK PARK TOWNHOUSES HOMEOWNERS ASSOCIATION, INC.
aka OAK PARK TOWNHOUSES ASSOCIATION
BOARD OF DIRECTORS RESOLUTION
(REGARDING FINES)

The following Resolution is adopted as of Sept 10, 2018, 2018, by the Board of Directors of the New Oak Park Townhouses Homeowners Association, Inc. aka Oak Park Townhouses Association (the "Association").

WHEREAS, the Board of Directors is charged with enforcing the provisions of the Declaration of a Planned Community (ORS 94.580) Oak Park Townhouses ("Declaration") (as amended) and Bylaws of Oak Park Townhouses Homeowners Association ("Bylaws") both recorded on April 5, 1996, in the deed records of Lane County, Oregon, as Document No. 9622258, and the Association's rules and regulations, and the Association has the authority pursuant to the Declaration and ORS 94.630 to take legal action against noncomplying property owners; and

WHEREAS, the Board has authority under ORS 94.630(1)(n), Article XIII of the Declaration, and Article V, Section 3 of the Bylaws to adopt and enforce compliance with Association rules and regulations and levy fines pursuant to a schedule contained in a resolution adopted by the Board, and the Board believes that a policy for levying fines against noncomplying property owners is a valuable enforcement tool that may be used in addition to, or in lieu of, other such enforcement tools, and wishes to adopt a policy implementing such fines; and

WHEREAS, violations vary widely in their severity and nature, and the Board finds that establishing a single fine for all violations would not be appropriate or equitable and

that it would be fairest to leave determination of the amount of any fine to the sound discretion of the Board, within the limits established by a fine policy, after hearing all the facts and circumstances surrounding the violation;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, under the power granted in ORS 94.630(1)(n), the Declaration, and Bylaws, the Board shall have the authority to levy fines for violation of the Association's Declaration, Bylaws, and rules and regulations, in amounts not exceeding:

1) Up to One Hundred and No/100 Dollars (\$100.00) for first violation, up to Two Hundred Fifty and No/100 Dollars (\$250.00) for the second violation of the same rule within six (6) months of the first violation, and up to Five Hundred and No/100 Dollars (\$500.00) for the third violation of the same rule within six (6) months of the second violation;

2) In the case of a continuing violation, One Hundred and No/100 Dollars (\$100.00) for the first violation occurrence and then up to One Hundred and No/100 Dollars (\$100.00) per week or month, depending upon the nature of the violation and the length of time reasonably required to remedy the violation, considering any cure period previously afforded to the owner, if any. In each case where the Board levies fines for a continuing violation, the Board shall establish a cumulative maximum fine.

The exact amount of each fine (and the amount, duration, and maximum cumulative fine, with respect to continuing violations) will be established by

the Board in each instance after considering the facts and circumstances surrounding the violation; and it is further

RESOLVED, that the Board shall levy no fine until written notice of the violation has been sent to the noncomplying owner, and until such person has had an opportunity to be heard before the Board or any committee that the Board may appoint from time to time for such purpose; and it is further

RESOLVED, that the Board may levy a fine after giving notice as provided above, even if a hearing is requested. Provided, however, the Board or any committee appointed by the Board for such purpose may determine at the hearing to leave the fine in place, remove it, or otherwise modify it given the facts and circumstances of the situation, including, but not limited to, the willingness of the owner to remedy or mitigate the violation; and it is further

RESOLVED, that all fines levied pursuant to this policy shall be deemed common expenses that are due and payable by the owner against whom such fines are assessed and, unless timely paid, shall become a part of any lien that may be filed by the Association against the lot owned or occupied by such offending owner or occupant.

RESOLVED, that the owner shall be responsible for any fines resulting from violations caused by any occupant, tenant, guest, service provider and/or occupant of that owner's property; and it is further

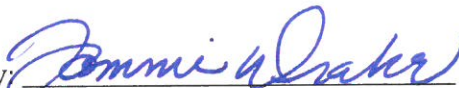
RESOLVED, that a copy of this Resolution shall be sent to all owners at their last known addresses.

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IN WITNESS WHEREOF, the undersigned Secretary hereby certifies that the foregoing Resolution was adopted by the Board of Directors at a duly called meeting effective Sept 10, 2018, 2018, and that a copy of this Resolution has been mailed to all Owners.

**NEW OAK PARK TOWNHOUSES
HOMEOWNERS ASSOCIATION, INC.
aka OAK PARK TOWNHOUSES ASSOCIATION**

By: 
Secretary