

Gates of Dunes West Council of Co-Owners Rules and Regulations Fine Policy

Assessments of Fines

The violation of any Co-Owner, occupant, or guest of any of the provisions of the Declaration of Covenants, Conditions and Restrictions shall be grounds for assessment by the Association, acting through its duly constituted Board of Directors, of monetary fines against the involved Co-Owner. Such Co-Owner shall be deemed responsible for such violations whether they occur as a result of his personal actions or the actions of his family, guests, tenants, or any other person admitted through such Co-Owner to the premises.

Upon any such violation being alleged by the Board, the following procedures will be followed:

- A. Notice of the violation, including the document violated, together with a description of the factual nature of the alleged offense set forth with such reasonable specificity as will place the Co-Owner on notice as to the violation, shall be sent by first class mail.
- B. The offending Co-Owner shall have 14 calendar days from the date of the violation in which they may offer evidence in defense of the alleged violation. The evidence must be submitted in writing to Gates of Dunes West ARB, c/o Poston & Company, Inc., 304 Meeting Street, Charleston, SC 29401.
- C. Failure to respond to the notice of violation within 14 calendar days from the date of issue constitutes a default.
- D. Upon written response by the Co-Owner to the Board and presentation of evidence of defense, or, in the event of the Co-Owner's default, the Board shall by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board's decision is final.

Schedule of Fines

Upon any violation of any provisions of the Documents and after default of the offending Co-Owner or upon the decision of the Board as recited above, the following fines shall be levied:

First Violation: Warning, no fine shall be levied

Second Violation: A fine of \$25.00 shall be levied.

Third Violation: A fine of \$50.00 shall be levied.

Fourth Violation and Each Subsequent Violation: A fine of \$100.00 shall be levied.

The Board of Directors, without the necessity of an amendment to the Declaration of Covenants, Conditions and Restrictions of the Gates of Dunes West Subdivision, may make such changes in said fines or adopt alternative fines. For purposes of the Rule, the number of the violation (i.e. first, second, etc.) is determined with respect to the number of times that a Co-Owner violates the same provision of the Documents, and is not based upon time or violations of entirely different provisions. In the case of continuing violations, a new violation will be deemed to occur each successive week during which a violation continues. Nothing in this Article shall be construed as to prevent the Association from pursuing any other remedy under the Documents for such violations, or from combining a fine with any other remedy or requirement to redress any violation.

Collection of Fines

The fines levied pursuant to the above stated rules and regulation shall be assessed against the Co-Owner and shall be due and payable on the first day of the following month. Failure to pay the fine will subject the Co-Owner to all liabilities set forth in the Documents. All unpaid amounts shall further constitute a lien on the Co-Owners unit.