

MORNING MIST FARM HOMEOWNERS ASSOCIATION COVENANT ENFORCEMENT POLICY

Modification Compliance Process

For failure to initially, voluntarily submit an Application for Modification for review and approval by the Architectural Review Committee prior to initiating change or modification:

1. First Violation Notice: Owner is directed to stop all unauthorized activity immediately
 - Submit a photo or other form of verification of compliance to the Community Manager, or
 - Submit a completed Application for Modification form to the Community Manager and wait for the Architectural Review Committee and Board's decision
2. Second Violation Notice: If the violation has not been corrected or an Application for Modification has not been submitted within 15 days since the First Violation Notice, the Owner will receive a Second Violation Notice indicating the following:
 - An initial fine of \$250 has been applied
 - An additional fine of \$250 will be applied if compliance is not verified or an Application for Modification is not submitted within 15 days from the date of the Second Violation Notice.
 - Homeowner's account will be charged with the cost of the registered mail.
3. If the violation has not been corrected and an Application for Modification has not been submitted within another 15 days (30 days total), a second \$250 fine is immediately applied (\$500 total) with an additional \$100 applied to the account every 15 days thereafter without further notification. The account may be forwarded to the attorney for legal action per the Board's approval to apply a lien to the property.

A lien for "Violation of the Declaration, Bylaws, rules and regulations, use restrictions, or design guidelines of Morning Mist Farm HOA" will be filed and homeowner's account will be charged an additional \$185 in fees.

Maintenance Compliance Process

If there is a violation regarding exterior and landscape maintenance on a property, the following process is in place:

1. Compliance Request: A "nice" letter describing the violation and requesting compliance within 15 days with instructions to submit a photo or other verification that correction has been made.
2. First Violation Notice: If the violation(s) is/are not corrected and/or verification of compliance is not provided within 15 days, fines will follow.
3. Second Violation Notice: If the violation(s) is/are not corrected and/or verification of compliance is not provided within 15 days (30 days total).
 - A \$100 fine per violation (\$250 for parking on street/grass, trailer, boat storage, short term rental such as AirBNB) begins being applied from the date of this letter and will continue until every 15 days the violation is corrected.
 - Further legal action will follow if violation is not corrected immediately
 - From this point if the violation(s) is/are still not resolved and fines continue to accrue, the Board will have several options according to the Covenants to include hiring an outside contractor to correct the violation. All costs, including reasonable attorney's fees, shall be assessed against the violating Owner.

A lien for “Violation of the Declaration, Bylaws, rules and regulations, use restrictions, or design guidelines of Morning Mist Farm HOA” will be filed and homeowner’s account will be charged an additional \$185

NOTE: If a violation is “corrected” and remains “corrected” for 90 days, the process will begin again with a Compliance Request in the event of another violation. A violation that recurs within 90 days will be sent the First Violation Notice warning of impending fines.

Rules and Regulations Compliance Process

If the Owners/Tenants of a property or their guests are found to be in violation of a Rule or Regulation, the following process is in place:

Warnings:

1. First Warning is sent to the Owner describing the violation and requesting immediate compliance.
2. First Violation Notice: If the violation is not corrected or recurs 15 days after the First Warning is sent, the Owner/Tenant will be sent the First Violation Notice indicating the following:
 - A \$250 fine has been applied to the Owner’s account, and
 - An additional fine of \$250 will be applied to the Owner’s account without further notice if the violation is not resolved within 15 days or if it recurs within 90 days.
 - Homeowner’s account will be charged with the cost of the registered mail.
3. Second Violation Notice: If the violation is not corrected or recurs 15 days after the First Violation Notice, the Owner/Tenant will be sent the Second Violation Notice indicating the following:
 - A \$250 fine has been applied to the Owner’s account, and
 - Additional \$250 fines will be applied every 15 days to the Owner’s account without further notice if the violation is not resolved within 15 days from the date of the Second Violation Notice.
 - A fine of \$250 will be immediately assessed for each additional violation of the same or similar nature that again occurs within 90 days.

From this point if the violation(s) is/are still not resolved and fines continue to accrue, the Board will have several options according to the Covenants to include hiring an outside contractor to correct the violation. All costs, including reasonable attorney’s fees, shall be assessed against the violating Owner.

A lien for “Violation of the Declaration, Bylaws, rules and regulations, use restrictions, or design guidelines of Morning Mist Farm HOA” will be filed and homeowner’s account will be charged an additional \$185

Exception:

In the case of violations with damages, a Violation Notice will be sent including the cost for any damages, injunctive relief or both as well as additional possible fines. Examples include cost to remove trash or yard waste dumped in common area or cost to clean the pool when it has been made unsanitary (by an intentional act) by an Owner’s or resident’s family member or guests (for whom owners/residents are responsible).

Violations letters and photos can be viewed by registering for the online portal at: <https://CMP.Cincwebaxis.com>

Policy effective: 17 November 2022