

## **Common Area Elements Violation Policy**

12-15-15

The Common Area Elements are for the use or enjoyment of all Owners. The ownership of the Common Area Elements shall remain undivided, and no person or Owner shall bring any action for the partition or division of the Common Area Elements. The Association Board shall from time to time establish rules and regulations for the use of the Common Area Elements, and all owners or users shall be bound thereby. The Association Board shall have the sole jurisdiction over and responsibility for making alterations, improvements, repairs and maintenance of the Common Area Elements.

Below is the Common Area Elements Violation Policy. This policy was voted on and approved by the Oaks of Fontenelle Board of Directors during the December 15<sup>th</sup>, 2015, Open Board Meeting.

### **Oaks of Fontenelle Condominium Regime I Common Area Elements Violation Policy**

The following Common Area Elements Violation Policy shall be followed for the Oaks of Fontenelle Condominium Regime I:

**PENALTY ASSESSMENT:** The Board will determine if an assessment should be levied. If levied, an assessment of one hundred dollars (\$100) shall be incurred for the first violation and an assessment of five hundred dollars (\$500) for the second and each recurring violation. Additional fees may be incurred for repair or replacement of common grounds property or equipment.

**COMMON AREA ELEMENTS DEFINITIONS:** Fences, walkways, bridges, trees, shrubbery or landscaping amenities, erosion pipes, drainage basins, the swimming pools and related equipment, driveways, parking areas, roadways, and all parts of the property and improvements which are not located within the Dwelling Units.

#### **VIOLATIONS:**

- To refrain from painting, decorating or in any way changing the appearance of any portion of Common Area unless approved by the Association Board in writing.
- All portions of Common Areas surrounding the Dwelling Unit shall be kept clean and sanitary and no use thereof shall be made which constitutes a violation of any laws, zoning ordinances, governmental regulations or regulations of the Association.

**ASSESSMENT:** To be paid within 15 days from date of violation notification. If assessment is not paid within 15 days the Collection Assessment Policy establishes the late fees and potential lien process.

The Board of Directors shall not consider waiver of late fees, lien fees, or attorney collection fees incurred on an account where the assessment was not paid in accordance with the Assessment Collection Policy through no fault of the Association.