

## SARATOGA SPRINGS ESTATES ENFORCEMENT PROCEDURES

Homeowners are responsible for their actions and the actions of their invitees, guests and tenants by ensuring compliance with Saratoga Springs Estates (SSE) Declaration of Covenants, Conditions and Restrictions (CC&R), Bylaws, Articles of Incorporation and other governing documents. This will enhance and protect property value, desirability and attractiveness of the property and maintain a pleasant living environment.

The procedures for enforcement policy, filing complaints and sanctions have been revised by the Board of Directors (BOD) on August 12, 2010 and will become effective on October 13, 2010. They supersede the previous Enforcement Procedures dated 09/03/09.

### I. FILING COMPLAINTS

Homeowners and/or residents who witness a violation of the governing documents should report the violation to the management company (New Valley Real Estate Management, Inc). Complaints should be in writing and should detail the facts of the situation. Anonymity of the persons filing a complaint shall be strictly maintained.

### II. ENFORCEMENT POLICIES

1. Members of the BOD (minimum 1 member) or a member of a committee appointed by the BOD shall check each complaint to verify the validity of the complaint as a violation of the governing documents. A photograph (evidence) of the problem should be taken, if possible.
2. After verifying the violation, the BOD has four choices: a courtesy phone call, a personal visit to the homeowner, a Courtesy Letter sent to the homeowner, or a First Notice of Violation Letter sent to the homeowner.
3. The First Notice of Violation Letter will include a description of the violation and reference to the governing document by article, chapter, section and paragraph, as appropriate. If the violation is also a Douglas County Regulation, that will be referenced. In addition, the date on which the violation must be corrected and notice of possible sanction will be included in the letter.
4. Second Notice of Violation Letter will be sent to the homeowner if the violation is not corrected. This letter will advise the homeowner of the date, time and place of a hearing and potential monetary penalty that may be imposed. The scheduled hearing will take place whether or not the owner elects to attend the hearing.
5. The hearing will give the owner an opportunity to plead his case. The hearing panel will consist of three (3) BOD members. The panel will determine if the violation is found to be with or without merit. The owner will be notified of the hearing panel's determination by letter.

### III. SANCTIONS

1. Penalties for violation of the provisions of the governing documents and CC&R imposed by the BOD will be in accordance with Nevada Community Association Uniform Act NRS 116.31031.

2. Failure to adhere to the association's governing documents, including the Declaration of Covenants, Conditions and Restrictions, Bylaws and the Articles of Incorporation may result in monetary penalties being levied after notice and hearing.

3. First Notice of Offense: First Notice of Violation Letter of alleged violation with date on which violation must be corrected and notice of possible sanction.

4. Second Notice of Offense: Second Notice of Violation Letter shall include a notice of hearing date and notice of possible sanction to be imposed for the same continued violation. A monetary penalty in the amount of \$50.00 for each occurrence within the time periods allowed by NRS 116.31031 and up to the maximum allowed in NRS 116.31031. Monetary penalties may only be applied to violations concerning Garbage Cans, Commercial Vehicles, Landscaping and Recreational Vehicles.

5. Unpaid monetary penalties are collectible in the same manner as unpaid assessments and may result in a lien on a homeowner's property.

### IV. REVISION PROCEDURES

1. The procedure for Filing Complaints and Enforcement Policy may be revised from time to time by the BOD.

2. Monetary Sanctions and the concerned violations listed in section III, Paragraph 4 shall not be modified without the affirmative written assent or vote of 18% of the voting power of the homeowners..

### V. EFFECTIVE DATE

The revisions to these procedures shall become effective 30 days after publication to the homeowners.