

MEADOWS AT NORTH LAKE HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION NO. 2014- 01

(Policy Relating to Covenant and Rule Enforcement)

WHEREAS, the lots, improvements and common areas within the Meadows at North Lake Homeowners Association, Inc. (the "Association") are governed by a Declaration (the "Declaration"), which has been recorded in the Land Records of Montgomery County, Maryland at Liber 6443, Folio 825 *et seq.*, as amended; and

WHEREAS, Article IV, Section 1(c) of the Declaration provides that a member's right and easement of enjoyment in and to the common areas and community facilities is subject to the Association's right to adopt reasonable rules respecting use of the common areas and community facilities; and

WHEREAS, Article IV, Section 1(d) of the Declaration provides that a member's right and easement of enjoyment in and to the common areas and community facilities is subject to the Association's right to suspend the voting rights and the rights to use of the common areas and community facilities for any period during which any assessments remains unpaid and for any period not to exceed thirty (30) days for any infraction of any of the Association's published rules and regulations; and

WHEREAS, Article VII, Section 10 of the Declaration provides that there shall be no violation of any rules respecting the use of the common areas and community facilities or "house rules" or other community rules and regulations not inconsistent with the provisions of the Declaration which are adopted by the Board, and further that the Board is authorized to adopt such rules; and

WHEREAS, Article VII, Section 7 of the Declaration provides covenants regarding the proper maintenance and care of members' lots; and

WHEREAS, Article VII, Section 11 of the Declaration provides additional enforcement rights to the Association in the event of a violation or attempted violation of any of the covenants or rules and regulations of the Association; and

WHEREAS, the Board of Directors deems it desirable to adopt a policy which establishes a uniform procedure for enforcement of the provisions of the Declaration, Bylaws, House Rules and other Rules and Regulations.

NOW, THEREFORE, the Board hereby adopts the following Covenant and Rule Enforcement Policy (the "Policy") which shall govern the enforcement of the Declaration, Bylaws, House Rules and other Rules and Regulations of the Association. The House Rules being adopted by the Board are attached hereto as Exhibit A.

A. Citation Notice

1. Whenever the Board becomes aware of a violation of the Declaration, Bylaws, House Rules or other Rules and Regulations, it will send a "Citation Notice" to the owner (and, if applicable, the tenant residing at such property) who is responsible for the violation.
2. The Citation Notice shall:
 - a. Reference the covenant, bylaw, house rule or other rule and regulation that is allegedly being violated by the lot owner (or tenant).
 - b. Set forth the facts or circumstances, or both, that establish the alleged violation.
 - c. Inform the owner of the action required to cure the violation and bring the property into compliance.
 - d. Inform the owner that the Association may take further enforcement action against the owner if the violation is not cured within a specified number of days from the date of the Citation Notice, and that such enforcement action includes, but is not limited to, the suspension of the owner's right to use the common areas and community facilities for a period not to exceed thirty (30) days.
 - e. Inform the owner that he or she has the option of contesting the violation and requesting a hearing before the Board concerning the violation(s) cited in the letter, at which the owner will have an opportunity to present testimony, witnesses or evidence, as appropriate, on his or her behalf.
 - f. Indicate the name of a Board member or person designated by the Board whom the owner may contact if the owner has any questions or concerns regarding either the violation or compliance.

B. Second Violation Letter

1. If a continuing covenant, bylaw, house rule, or other rule and regulation violation persists after the time allowed in the Citation Notice to cure that violation, or if a non-continuing covenant, bylaw, house rule or other rule and regulation violation recurs within 12 months, a Second Citation Notice may be sent to the owner who is responsible for the violation
2. The Second Violation Letter, if sent, shall:

- a. Reference the covenant, bylaw, house rule or other rule and regulation that is allegedly being violated by the lot owner (or tenant).
- b. Set forth the facts or circumstances, or both, that establish the recurrence of the alleged violation.
- c. Inform the owner of the action required to cure the violation and bring the property into compliance.
- d. Inform the owner that the Association may take further enforcement action against the owner if the violation is not cured within a specified number of days from the date of the Citation Notice, and that such enforcement action includes, but is not limited to, the suspension of the owner's right to use the common areas and community facilities for a period not to exceed thirty (30) days.
- e. Inform the owner that he or she has the option of contesting the violation and requesting a hearing before the Board concerning the violation(s) cited in the letter, at which the owner will have an opportunity to present testimony, witnesses or evidence, as appropriate, on his or her behalf.
- f. Indicate the name of a Board member or person designated by the Board whom the owner may contact if the owner has any questions or concerns regarding either the violation or compliance.

C. Hearings

1. Upon receipt of a request for hearing from an owner, the Association shall schedule a hearing before the Board to address the issues raised in the Citation Notice. If an owner does not contest the violation and request a hearing by the deadline provided in the Citation Notice, the owner's right to a hearing shall be deemed waived.
2. The owner shall be notified of the date, time and location of the hearing at least ten (10) days prior to the hearing date.
3. The hearing notice shall also inform the owner that he or she may be present at the hearing and present evidence and witnesses and that he or she will have the right to cross-examine any witnesses or evidence introduced by the Association.
4. The owner shall be notified after the hearing of any decision made by the Board with regard to the violation(s) cited in the Citation Notice. Such notice of a decision shall also inform the owner that he or she has the right to file a complaint with the Montgomery County Commission on Common Ownership Communities

within fourteen (14) days of the date of the letter if he or she disagrees with the decision of the Board of Directors.

D. Sanctions

1. If the covenant, bylaw, house rule or other rule and regulation violation is not cured within the time allowed for compliance in the Citation Notice, the Board may elect to suspend the owner's voting rights and the owner's right to use the common areas and community facilities for a period not to exceed thirty (30) days.
2. If the covenant, bylaw, house rule or other rule and regulation violation is not cured within the time allowed for compliance in the Citation Notice, the Board may elect to file a lawsuit against the owner and/or file a complaint with the Montgomery County Commission on Common Ownership Communities against the owner to compel him or her to comply with the Declaration, Bylaws, House Rules or other Rules and Regulations. In any such action the Board reserves the right to seek an award of attorney's fees and costs against the owner to the extent permitted by law.
3. If the covenant, bylaw or rule and regulation violation pertains to the exterior maintenance or condition of a lot and the buildings and improvements located thereon, and such violation is not cured within the time allowed for compliance in the Citation Notice, the Board may elect to exercise the self-help remedies authorized under Article VII, Section 11 of the Declaration. Such self-help rights include the right to enter upon the lot and remove or otherwise terminate or abate the violation. As authorized by Article VII, Section 11 of the Declaration, all costs related to such removal, termination or abatement of the violation shall become a lien upon the lot and shall be assessed against the owner of the lot. All such costs shall be collectible as an assessment pursuant to the applicable provisions of the Association's Declaration, Bylaws or rules, regulations or policies.

This Resolution supersedes all previously adopted Resolutions and practices governing the procedures for enforcement of covenants and rules.

The effective date of this Resolution shall be October 1, 2014.

Adopted this 21 day of August, 2014, by the Board of Directors of the Meadows at North Lake Homeowners Association, Inc.

**MEADOWS AT NORTH LAKE
HOMEOWNERS ASSOCIATION, INC.**

By: M. Naylor
M. Naylor, President

MEADOWS AT NORTH LAKE HOMEOWNERS ASSOCIATION, INC.

HOUSE RULES

GOOD PROPERTY MANAGEMENT GENERALLY

Each owner shall keep each lot owned by him or her, and all improvements therein or thereon, in good order and repair and free of debris, including but not limited to the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery and the painting (or other appropriate external care) of all buildings and other improvements, all in a manner and with such frequency as is consistent with good property management.

TRASH & RECYCLE CONTAINERS

All homes must store their trash in a rigid container with a tight fitting lid. Trash containers and recycling containers must be stored out of sight from public view, which means that they must be stored either in or behind the home.

Trash containers and recycling containers may not be placed curbside until after 6:00 P.M. the day before collection. Overnight placement of trash bags that are not inside the container is prohibited, as this attracts animals. Any bags that are not inside the container should not be placed curbside until the day of collection. Empty trash and recycling containers must be removed from sight by 9:00 P.M. on the day of collection.

PARKING/VEHICLES

See Administrative Resolution 0206 regarding parking rules and regulations.

MEADOWS AT NORTH LAKE HOMEOWNERS ASSOCIATION, INC.

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RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held August 21, 2014.

Motion by: J. Whaley Seconded by: S. Ghorbani

	VOTE:			
	YES	NO	ABSTAIN	ABSENT
<u>Mark Meyer</u> President	✓			
<u>[Signature]</u> Vice President	✓			
<u>Janie Whaley</u> Treasurer	○			
<u>Kathleen C. Freund</u> Secretary	✓			
<u>[Signature]</u> Director	✓			

ATTEST:

Kathleen C. Freund 8/21/14
Secretary Date

Resolution effective: October 1, 2014.