

**NORTH END TOWNHOME CONDOMINIUM ASSOCIATION  
RESOLUTION RELATING TO PROCEDURES FOR  
ASSESSING FINES, PENALTIES AND OTHER  
ENFORCEMENT ACTIONS OF DECLARATION AND RULES**

Effective January 1, 2010

The purpose of this resolution shall be to establish a simple, fair and uniform procedure for assessing fines and penalties, and authorizing other enforcement actions, for violations of the Declaration of Covenants, Conditions, and Restrictions of North End Townhome Condominium Association, the Articles of Incorporation, Bylaws, Architectural Review Guidelines, Rules and Regulations (collectively the "Declaration") of the North End Townhome Condominium Association, Inc. (the "Association").

The Executive Board (the "Board") of the Association hereby adopts the following procedures to be followed by the Association for the enforcement of the Declaration:

1. Upon receipt by the Board of a complaint of a violation of the Declaration, the Board shall designate one or more Board member(s), Unit Owner(s), Member(s) of the Association or the Managing Agent to investigate such complaint and report thereon to the Board.
2. If, after such investigation and report, it appears to a majority of the Board at which a quorum is present, meeting either at a regularly scheduled Board meeting, in a specially convened Board meeting, or refer to item 8, that a violation of the Declaration is presently occurring or has occurred in the past and reasonably threatens to occur again in the future (a "violation"), the Board shall cause a warning letter to be issued to the Unit Owner of record where the violation is occurring or occurred.
3. The warning letter issued to the Unit Owner shall:
  - a. describe the violation(s) such that the Unit Owner has reasonable notice of the nature of the alleged violation; and
  - b. request the Unit Owner to promptly, being defined as fourteen (14) days from notification, abate the violation, or prevent the violation in the future; and
  - c. warn the Unit Owner that if such violation is not promptly abated, or prevented in the future, that the Board may take any lawful enforcement action against the Unit Owner, which enforcement action may include, but is not limited to, fines of \$50.00, followed by fines of \$150 and \$500 respectively for each fourteen (14) day period the violation is not corrected, suspension of the Unit Owner's voting privileges in the Association for a period of not more than sixty (60) days, suspension of the Unit Owner's right to use the common facilities for a period of sixty (60) days, the undertaking of legal action against the Unit Owner, and the assessment of the Association's costs and reasonable attorney's fees against the Unit Owner; and
  - d. inform the Unit Owner that it has the right to request in writing, within fourteen (14) days of the Unit Owner's receipt of the letter, a hearing before the Board on the issues of whether a violation is occurring or has occurred and threatens to occur again in the future, and whether any penalty, fine or other enforcement action should be assessed or undertaken.

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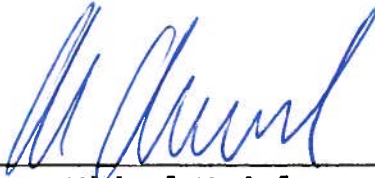
4. The warning letter issued to the Unit Owner shall be mailed by regular mail, postage prepaid, to the Unit Owner at its address as shown in the records of the Association. The Board has the discretion to mail a copy of the warning letter by certified mail but is not required to do so. The warning letter shall be conclusively deemed received by the Unit Owner if it is not returned.
5. If the Unit Owner timely requests a hearing in writing, within ten (10) days of date of warning letter a hearing shall be scheduled and held before the Board with reasonable promptness. The hearing may be held at either a regularly scheduled Board meeting or at a specially convened Board meeting, so long as a quorum is present. The hearing shall be held and conducted upon such fair and reasonable terms and conditions as the Board may determine, and the Board shall have the authority to continue such hearing from time to time. Any Unit Owners and Members may attend the hearing or continued hearings. After the completion of the hearing, the Board shall determine whether a violation is occurring, or has occurred and threatens to occur again in the future, and the penalty or enforcement action to be taken by the Association, by vote of the majority of the Board at which a quorum is present, provided however that if the Board believes it needs more time in order to make its decision, it shall have the right to take the matter under advisement for up to fifteen (15) days from and after the date the hearing was concluded until it makes its decision.
6. The Board shall cause a notice of enforcement action letter to be sent to the Unit Owner by regular mail of any fine, penalty, or other enforcement action taken or to be taken against the Unit Owner within fifteen (15) days of the taking of such action.
7. The Association shall have the discretion to file legal action against a Unit Owner to enforce the governing documents without following the notice and hearing procedures set forth in this Resolution. Service of a summons and complaint shall serve as sufficient notice of the commencement of a lawsuit against a Unit Owner.
8. For repeated or continuing violations of the Declarations, defined as the same Unit Owner continuing to violate, or allowing or permitting to continue to be violated, the same provision of the Declaration as was found in a prior determination by the Board, or the same Unit Owner violating, or allowing or permitting the same violation of, a provision of the Declaration as was found in a prior determination by the Board to occur again within six (6) months, the Board need not send out a new warning letter. The Board, however, shall mail out a new notice of enforcement action letter each time an additional enforcement action is taken against a Unit Owner for repeated or continuing violations.
9. Any action or decision to be taken or made hereunder by the Board, except the actual holding of a hearing requested by a Unit Owner, may be taken or made in a telephonic conference, in counterparts by mail or facsimile, or by e-mail, so long as all Board members participate in such meeting and no Board member objects to meeting being held in such manner. Any and all objections by any Board member to the manner of the meeting shall be

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made and registered promptly at the beginning of the meeting and shall be confirmed in writing (facsimile or e-mail is also sufficient) to all other Board members immediately after the meeting or as soon thereafter as is reasonably practical. If any Board action or decision is taken or made in a telephonic conference, the Board shall keep minutes of the conference and make records of any votes or decisions made therein. The Board shall keep written records of its votes on all enforcement actions, and on any objections as to the manner of the meeting by any Board member

10. Definitions of any terms herein shall be as defined in the Declaration of Covenants, Conditions, and Restrictions of North End Townhome Condominium Association, the Articles of Incorporation, Bylaws, Design Guidelines, and Rules and Regulations

Signed



Michael Markel

Date

12/1/09

Title

President