

Chestnut Hill Plantation Homeowners' Association

Administrative Resolution

Covenant Inspections and Fines Policy

In accordance with the South Carolina Homeowners Association Act, (SC Code Title 27, Chapter 30, Article 1), Chestnut Hill Plantation Homeowners Association (below noted as "CHP" or "the association") has adopted a policy for covenant inspections and fines procedures.

1. **INSPECTION SCHEDULE.** The Property Management Company hired by the Association to conduct inspections, or a Board-authorized person, shall assess all properties during monthly inspections, or in accordance to the schedule based on the days allowed for corrections of violations, listed below, at which time any covenant or Association-established rules and regulations violations will be documented. At the request of the Board, the Management Company or the Board-authorized person shall conduct additional inspections to individual properties if necessary.

2. **NOTICE OF VIOLATIONS AND FINES SCHEDULE – CORRECTABLE VIOLATIONS**

- a) **First Letter of Violation notice.** A notice of covenant or rule violation will be mailed to the owners. The owner will have 20 days to correct violation unless otherwise specified in the letter. Owners will be given an opportunity to communicate IN WRITING with the Board/ Management Company if additional time is needed or if there are extraordinary circumstances. This written communication must include a proposed new deadline. This new deadline may or may not be approved by the Board. If corrections are not made by the Board-approved deadline, the fine process will be reverted to the original date of the violation and any fines, which would have been applied for non-compliance, will be added to the homeowner's account and due upon receipt of notice of non-compliance.
- b) **Second Letter of Violation notice.** Upon a re-inspection by the Management Company or the Board-authorized person, a second notice is to be mailed to homeowners if not corrected or an extension granted by the Board, with a fine of \$25.00 for failure to correct the violation, due within 30 days of the date on the notice. The owner will have 20 days to correct the violation unless otherwise specified in the letter or the Owner communicates with the Board/ Management Company and a new deadline is approved as outlined in section (a) above.
- c) **Third Letter of Violation notice.** Upon a re-inspection by the Management Company or the Board-authorized person, a third notice is to be mailed to homeowners if not corrected or an extension granted by the Board, with a fine of an additional \$50.00 for failure to correct violation, due within 30 days of the date on the notice. The owner will have 20 days to correct the violation unless otherwise specified in the letter or the Owner communicates with the Board/ Management Company and a new deadline is approved as outlined in section (a) above.
- d) **Fourth Letter Of Violation notice** – Upon a re-inspection by the Management Company or the Board-authorized person, a fourth and final notice shall be mailed to homeowner if not corrected or an extension granted by the Board, notifying the homeowner that the HOA will make arrangements with an outside contractor to make necessary repairs or address any maintenance issues. The fourth notice will include an estimated date when the work will be performed along with an estimate of contractor's fees and costs, if available prior to the notice, and an administrative fee (minimum of \$100.00) if the violation is not corrected within 20 days. The Board reserves the right to approve any actions associated with the fourth notice and the work to be performed prior to the mailing.

Book 2765-1262

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Fee: \$10.00 County Tax: \$0.00

Resolution

State Tax: \$0.00



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John T. Hopkins II

Richland County R.O.D.

2. NOTICE OF VIOLATIONS AND FINES SCHEDULE – NON-CORRECTABLE VIOLATIONS

(examples include, but are not limited to, landscaping changes, tree removals)

- a) For changes made without prior approval, which would have been approved if applied for: A notice of covenant or rule violation will be mailed to the owners. A penalty of \$100 may be assessed to the homeowner's account.
- b) For changes made without prior approval, which would not have been approved if applied for: A notice of covenant or rule violation will be mailed to the owners. A penalty of \$200 may be assessed to the homeowner's account.

4. PAYMENT SCHEDULE- Fines established in this resolution are payable immediately upon receipt of notice but not later than thirty (30) days of the date of the notice. **Paying fines does not relieve the owner of the requirement to correct the violation.**

5. LATE FEES & INTEREST CHARGES. A late charge of \$10.00 will be added to any fine, fee or assessment not paid within thirty (30) days after the due date. If not paid within sixty (60) days of the due date, all amounts due shall bear interest from the due date at the rate of 16% per annum (or the highest rate allowable by law, whichever is lower). A \$35.00 Non-Sufficient Funds check charge, or a maximum allowed by South Carolina statute, will apply to any check returned by the bank.

6. LIEN FILING. The Association may file a lien for all accounts that are 90 or more days delinquent. All costs for preparation, recording and satisfying liens shall be paid by the owner.

7. COLLECTION SERVICES. If a delinquent account is referred to an attorney for collection, the owner shall be charged the Association's reasonable attorney fees and related costs.

8. ADMINISTRATIVE CHARGES. The Association may charge the owner additional administrative charges of minimum \$100.00 incurred for, but not limited to:

Enforcement of the Association's Rules, By-Laws or Declaration of Covenants or Policies,

Coordinating repairs to the Association's common areas that result from the acts of owners, their tenants or guests,

Coordinating repairs to the homeowner's property due to failure to comply with requests to bring their property up to standards of the Association and By-Laws and any other rules established and communicated by the Board,

Owner bankruptcy, Foreclosure action or deed in lieu of foreclosure,

Notification, filing and satisfying liens.

So ruled and adopted by The Board of Directors for the Chestnut Hill Plantation Homeowners' Association, Inc. on this the 31st day of January, 2022.

John Wallace

Board Member

David Bergeron

Board President

Jeff Gentry

Board Member

Sworn and Subscribed before me
this 20 day of July, 2022.

Lydial Dale Glenn

Notary Public

