

POLICY STATEMENT OF THE BOARD OF DIRECTORS OF THE VILLAGE OF TUXFORD HOME OWNERS ASSOCIATION, INC.

Pursuant to the provisions of 2023 Kentucky State Law (SB 120) and the CCR's and Bylaws of the Village of Tuxford Home Owners Assn., Inc. has authorized the Board of Directors to enforce its restrictions and any violations of the Declaration, Bylaws, rules and regulations, allowing remedies including "imposition of reasonable fines or by legal action for damages, injunctive relief, restraining order, or specific performance."

ENFORCEMENT OF GOVERNING DOCUMENTS

Resolved, that to enforce restrictions of the community for a more uniform neighborhood appearance and the protection of property values in The Village of Tuxford, the following fining policy for infractions of the governing documents have been adopted by the Board of Directors and will be enforced as outlined:

1. Past due maintenance fees (currently due on the first of each month) later than 30 days will bear interest from the date of the delinquency at the statutory rate of interest applicable to judgements. This interest will be added to account.
2. Failure to submit required insurance verification and appropriate coverage requirements as outlined in the CCRs within 30 days of written notice by Mulloy Properties shall incur a fine of \$50 the first month. This fine will increase to \$100 in the following month and continue until the required verification has been submitted (not to exceed \$1000). Failure to comply with required verification will result in legal action being taken by the HOA. All attorney's fees and costs to enforce this violation will be the sole responsibility of the homeowner.
3. Non-approved landscape work or non-approved architectural work needing immediate correction (i.e. dumpster on property or building a structure) will result in a fine of \$50 per day upon notification of violation and will be charged against account until the violation is corrected. Upon failure by owner to comply within forty-five (45) days, the Association may act as necessary to remedy therewith, and owner shall immediately upon demand, reimburse the Association all expenses incurred in so doing, which

may be inclusive of, but not limited to, attorney's fees and costs in enforcing.

4. Violations not requiring immediate correction, the homeowner will be sent a friendly reminder letter outlining the violation and allowed a maximum of 30 days to correct. If the violation is not corrected within the stated time allowed, a second notice will advise that starting on the 10th day following this second notice a fine of \$50 per month will be charged against the account until the violation is corrected.
5. Should the correction of a violation not be possible within the time frame allowed or the violation is disputed by the owner, the owner may send a letter with any and all corresponding documentation, within 10 days of receiving the violation letter to the board asking for an extension due to current circumstances or reasoning that the violation is disputed. The Board will respond with the determination of the Board within receipt of the extension request.
6. Any unpaid fine or interest shall constitute a lien. The homeowner shall be responsible for all costs of collections, including attorney fees and costs of unpaid fine or interest.
7. Nothing in this enforcement policy overrides, terminates or eliminates any rights or powers of enforcement or otherwise given to the Board of Directors and/or the HOA as stated in its governing documents including its CCRs and Bylaws which remain in full force.

February 2024