

Mariner II Condominiums
Fining Policy
Date Adopted: October 8, 2024
Effective Date: January 1, 2025

ENFORCEMENT AND GRIEVANCE PROCEDURE

1. The following is a schedule of the fines that will be imposed for non-compliance with the Association's governing documents including the Bylaws and Rules (herein collectively "Condominium Documents"):

- A. **A WRITTEN WARNING for a unit owner or resident's first violation** of the Condominium Documents. In addition, a member of the Board may attempt to contact the offending party to explain the violation and the need that all residents and unit owners comply with the Condominium Documents.
- B. **FIFTY DOLLARS (\$50.00)** shall be assessed against a resident or unit owner for a second violation of the Condominium Documents (or for the violation that remains after the Unit Owner has received the warning letter discussed in 1.a). The second violation does not need to be the same violation as the first violation in order for the \$50 fine to be assessed.
- C. **ONE HUNDRED DOLLARS (\$100.00)** shall be assessed against a resident or Unit Owner for each successive violation of the Condominium Documents.
- D. Notwithstanding paragraphs (a-c) immediately above, **TWO HUNDRED DOLLARS (\$200.00) shall be assessed for each violation** of the Condominium Documents, when in the sole opinion of the Board of Directors the violation meets one or more of the following criteria:
 - The violation is in direct defiance of a previous mandate from the Board of Directors.
 - The violation was malicious in its intent.
 - The violation is evidence of a pattern of the resident's or Unit Owner's noncompliance with the Condominium Documents.
 - The violation is of such a nature that the violation cannot be corrected and/or that direct monetary restitution cannot be determined (*i.e. if alterations are made that cannot be restored to their original state*).

Mariner II Condominiums
Fining Policy
Date Adopted: October 8, 2024
Effective Date: January 1, 2025

2. Each day that a violation exists shall be a new violation subject to fine at the discretion of the Board.
3. Attorney Fees
 - A. The Board may also assess a unit owner who has violated the Condominium Documents for the actual attorney fees incurred associated with reviewing the facts and Condominium Documents and advising the Board.
 - B. In the event that the Association retains an attorney to collect any funds due, enforce any rule within its governing documents, bring any claim against a unit owner or defend any claim or allegation by a unit owner, including any counterclaim, the Association shall, if it is the prevailing party in the claim or defense, be entitled to collect from the unit owner all of its costs and expenses, including reasonable attorney fees. In the event that the Association retains an attorney to represent the Association's interest in a suit filed by the unit owner's mortgage company in which the Association is a named defendant, the Association shall be entitled to collect from the unit owner all of its costs and expenses, including reasonable attorney fees. **This Rule does not apply to owners' fair housing complaints, neither State nor Federal.**
4. Any Unit Owner or resident who has been accused of violating the Condominium Documents or been fined may demand that the matter be heard by a Grievance Committee. Such demand must be in writing and provided to the Board of Directors within 14 calendar days of the notice of the violation or fine. If no demand is made within 14 calendar days, then the finding of a violation and/or fine shall be final and binding. If a demand is timely made, the matter shall be submitted to the Grievance Committee within seven (7) days.