

Policy 5
Cobble Creek Homeowners Association
Policies and Procedures
For Covenant Enforcement

As required by C.R.S. 38-33.3-209.5

The following Procedures have been adopted by the Cobble Creek Homeowners Association ("the Association") pursuant to Colorado Revised Statute ("C.R.S.") 38-33.3-209.5, at a regular meeting of the Board of Directors ("The Board"). Additional policies, procedures and rules may exist separately.

PURPOSE:

To adopt a policy governing the enforcement of the Declaration of Covenants, Conditions and Restrictions and the Bylaws of the Association.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following procedures to govern the enforcement of the Association's Covenants and Bylaws:

- A. Violations may be observed by the Board of Directors, the management company, a committee member or reported via a written complaint through e-mail, fax or mail service. A complaint must state specifically the nature of the violation observed and include the name and address of the violating party, what was observed, the date and time of the violation and any other pertinent information needed to validate the complaint.
- B. If the information required above is not provided with a complaint, enforcement of the Association's declaration, bylaws, policies, rules or procedures (collectively, the "Governing Documents") cannot be made. The Board and the management company may investigate the complaint further and make additional observations if appropriate.
- C. With respect to any violation of the Governing Document that the Association reasonably determines threatens public safety or health, the Association shall provide the unit owner written notice of the violation informing the unit owner that the unit owner has seventy-two hours to cure the violation or the Association may fine the unit owner. If, after an inspection of the unit, the Association determines that the unit owner has not cured the violation within seventy-two hours after receiving the notice, the Association may impose fines on the unit owner every other day and may take legal action against the unit owner.

- D. If a violation is found and documented other than a violation that threatens public health or safety or a violation of DRC submission requirements (addressed in Schedule I, paragraph 6 below), the following actions will be taken:
1. A certified letter, return receipt requested will be sent to the unit owner (and tenant if it is known that the unit is being used as a rental) stating that a violation has occurred and will refer them to the Governing Documents which appear to be in violation. This letter will allow the unit owner to forward documentation, in writing, if they believe the violation did not occur. The unit owner will have 30 days to respond to the letter or to correct the violation.
 2. If the Owner cures the violation within 30 days, the Owner may notify the Association of the cure and, if the Owner sends with the notice visual evidence that the violation has been cured, the violation is deemed cured on the date that the Owner sends the notice. If the Owner's notice does not include visual evidence that the violation has been cured, the Association shall inspect the unit as soon as practicable to determine if the violation has been cured.
 3. If the Association does not receive notice from the Owner that the violation has been cured, the Association shall inspect the unit within seven days after the expiration of the thirty-day cure period to determine if the violation has been cured. If, after the inspection and whether or not the Association received notice from the Owner that the violation was cured, the Association determines that the violation has not been cured:
 - (a) send to the Owner (and tenant if it is known that the unit is being used as a rental) stating that if the violation continues then fines will be imposed;
 - (b) a second thirty-day period to cure commences if only one thirty-day period to cure has elapsed; or
 - (c) the Association may take legal action pursuant to this section if two thirty-day periods to cure have elapsed.
 - (d) the Owner will have an additional 30 days to correct the violation or request a hearing with the Board (see Dispute Resolution Policy for specifics).
 4. If no hearing is requested, or if at the hearing it is found that the violation did/does occur, the violation process will proceed and fines will be charged per the Schedule outlined below. Fines will begin on the 1st day after the date of the second letter.
 5. Once the Owner cures a violation, the Association shall notify the Owner (a) that the Owner will not be further fined with regard to the violation; and (b) of any outstanding fine balance that the Owner still owes the Association.
- E. Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.
- F. Non-payment of fines will fall under the Collection Policy.
- G. All notices required or permitted by this policy shall in English and in any language that the unit owner has indicated a preference for correspondence and notices pursuant to the Association's Collection's Policy.

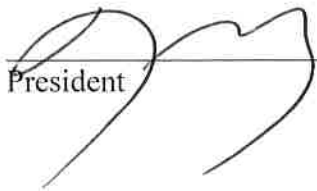
- H. In the event a perceived violation is also a violation of Federal, State, or local laws or regulations, the Board or management company will log the information however, the Board will refer the issue back to the complaining resident to contact the appropriate government entity to report the perceived violation.
- I. These enforcement provisions may be in addition to other specific provisions outlined in the Governing Documents and the Association is not required to follow these enforcement provisions before seeking such other remedies. The Association may choose a legal remedy or seek assistance from other enforcement authorities, such as Code Enforcement, Police, Fire, or Animal Control, as it deems appropriate.
- J. The Association's primary objective is to uphold the terms of the Governing Documents that benefit the community at large. To the extent that a neighbor-to-neighbor dispute exists, the Board encourages the neighborly approach to resolve the dispute in an informal and cooperative manner if possible; particularly with issues that impact the parties involved, but not necessarily other members of the community. In some cases, an involved party may wish to seek formal resolution, or a community mediator may be brought in to resolve such disputes.

CONFLICTS BETWEEN DOCUMENTS:

In case of discrepancies between this Policy and Procedure and the Declaration of Covenants, Conditions, and Restrictions (the Declaration), or the Bylaws or the Association, the Declaration shall control.

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors on the 12th day of August, 2026.

COBBLE CREEK HOMEOWNERS ASSOCIATION


President

Cobble Creek HOA

Schedule I

Violation Process and Fee Schedule

1. Courtesy Letter- Sent to enforceable CCRs' violations. First attempt of legal recourse for HOA Board. Must wait 30-days to verify if violation has been cured. If cured, disregard further action. If not, proceed.
2. 1st Violation Letter - Sent after expiration of Courtesy Letter. If violation enforceable, first fine would be \$50.00. Another 30- days must be given to homeowner to cure. If cured, disregard further action. If not, proceed.
3. 2nd Violation letter - Sent after expiration of 1st violation letter. If violation enforceable, second fine would be \$150.00.
4. 3rd Violation letter - Sent after expiration of 2nd violation letter. If violation enforceable, third fine would be \$300.00.
5. If homeowner owes just fines. Process stops at this point. If the homeowner owes dues or special assessments, an Intent to Lien can be sent and a lien placed. Liens cannot be placed on a homeowner just over fines.
6. Due to the importance and the urgency of the requirement to submit applications to the DRC for material changes to the outside of a home or to landscaping, the Courtesy Letter, 2nd and 3rd Violation Letters and the timetables related thereto do not apply to DRC submissions. In these instances, there will be no Courtesy Letter. The 1st Violation Letter will impose a \$500 fine unless the violation is cured within 30 days.
7. Last recourse - File a lien. Liens, if applicable, will be placed at the discretion of the Board
8. Fees from Heritage regarding the violation process are:
 - a. The Courtesy letter, 1st, 2nd, and 3rd Violation Letters and an Intent to Lien are all certified letters sent to owners plus a letter by regular mail. The cost to the HOA is \$16.00.
 - b. Filing a lien is \$143.00 (\$100.00 processing, \$43.00 filing fees to both file and release lien) with additional costs for certified mailing.
 - c. All fees will be passed along to the homeowner.