

**RESOLUTION OF THE EXECUTIVE BOARD OF THE  
DAYLESFORD LAKE CONDOMINIUM ASSOCIATION  
ESTABLISHING ENFORCEMENT PROCEDURES**

**BACKGROUND**

**WHEREAS**, Daylesford Lake Condominium Association ("Daylesford Lake") is governed by a Declaration of Condominium (Declaration) and Bylaws adopted pursuant thereto, to administer, maintain, repair, and replace certain common areas in a residential development situated in Tredyffrin Township, Chester County, known as Daylesford Lake. The Declaration is duly recorded in the Office of the Recorder of Deeds for Chester County in Deed Book 1601 at pages 101 et seq. (the "Declaration").

**WHEREAS**, Daylesford Lake Condominium is made subject to the Pennsylvania Uniform Condominium Act (68 PA C.S. §3101 et seq.) (the "Act") by Article I, Section 1.01 of the Declaration.

**WHEREAS**, Article XVII, Section 17.01, and Article VII, Section 7.16 of the Declaration authorize the Association to exercise all powers, duties and authority vested by law, including but not limited to the following:

(p) The power to **make, and enforce compliance with**, such reasonable rules and regulations relative to the operation, use and occupancy of the Common Elements and Limited Common Elements and Units, including, **but not limited to penalties to be levied for violations of these By-Laws, the Declaration and any rules and regulations as the Executive Board shall adopt...**

**WHEREAS**, the Executive Board has deemed it to be in the best interest of the Association, to adopt a resolution specifically setting forth an Enforcement/Violation Procedure to aid in the proper administration and management of the affairs of the Association.

**NOW THEREFORE** be it hereby **RESOLVED AND ENACTED** by unanimous vote of the members of the Executive Board as follows:

(1) All complaints concerning violations of the Rules and Regulations or of any provision of the Declaration or the Bylaws must be in writing. Complaints shall be addressed to the Executive Board *c/o* the property manager and must be signed by the homeowner or the resident. The complaint must be specific in detail so that the Board can determine whether an investigation is warranted.

(2) Complaints may also be made by property management for violations revealed in the course property inspections.

(3) Complaints will be investigated by a member of the Executive Board, member of the committee concerned or property management to determine whether the complaint is justified and whether a violation exists and must be corrected.

(4) Any person who is believed to be committing a violation of the Declaration, By-Laws, and or Rules and Regulations of the Association shall receive written notice thereof. If the violation is being committed by a tenant of the Unit Owner, both the tenant and the Unit Owner shall receive written notice of the violation. Notice shall be given by regular first class mail. The Notice of Violation shall contain the following information:

- a) A description of the conduct or condition constituting a violation.
- b) A reference to the Declaration, By-Laws, and or Rule and Regulation which is being violated.
- c) A copy of this Enforcement Procedure Resolution and of the applicable provision of the Declaration, the By-Laws and or the Rules and Regulations.
- d) Notice of the penalty which is assessable for the violation and notice of the enforcement remedies of the Association, including the collection of attorney's fees, and costs.
- e) Notice that if the violation is corrected within a specified number of days (usually not less than seven (7) or more than (30), depending upon the circumstances), no further action will be taken and no finding of a violation shall occur.
- f) Notice that the person charged with a violation shall have the right to a hearing before the Executive Board to appeal the violation, if a request for a hearing is made in writing within ten (10) days of the date of the Notice of Violation.

(5) If a hearing is requested, the Executive Board shall schedule a hearing within thirty (30) days of the date of the request therefor, at which hearing it will determine whether a violation has occurred, and, if so, the amount of the fine to be imposed.

(6) A written decision of the Executive Board shall be issued and forwarded to the Unit Owner and person charged with the violation within ten (10) days of the conclusion of the hearing. Notice of the decision shall be given by regular mail.

(7) If a hearing is not requested and the violation remains unabated, fines will be assessed as indicated in the Notice of Violation.

(8) If the person charged with a violation fails to comply with the Notice of Violation within the specified time period therein, then each day a violation continues beyond the specified time period, shall constitute a separate violation and subject the violator and or Unit Owner to a separate fine as to each subsequent violation. No Notice of such additional violation and an opportunity for a hearing on same shall be given. No additional opportunity to cure the violation shall be required for such subsequent violations.

(9) Any person violating any of the Declaration, Bylaws or Rules and Regulations of the Association shall be subject to a fine of not less than \$25.00 nor more than \$100, per violation. Continuing violations shall be subject to separate fines for each day the violation continues of not less than \$10.00 nor more than \$50.00 per day.

(10) Fines shall be collected in the same manner as provided for the collection of assessments in accordance with Article XIV of the Declaration. All costs incurred by the Association, including attorneys' fees, shall be the responsibility of the Unit Owner found to be in violation.

(11) In addition to such other remedies available to the Condominium Association in the event of non-payment fines, the Condominium Association shall have the right to revoke the rights of the Owner in the Condominium Association, including the right to vote, provided the Condominium Association shall provide written notice of such revocation and an opportunity by the defaulting Unit Owner to be heard before the Executive Board or committee appointed for such purpose.

(12) A copy of this Resolution shall be sent to each Unit Owner of the Association.

**RESOLVED AND ENACTED** on this 12 day of 2015, May

ATTEST:

 5/12/15

Date

 5/12/15

Date