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**HARBOR OAKS TOWNHOUSES AND HARBOR OAKS
TOWNHOUSES ASSOCIATION, INC.**

Board Resolution

Adoption of Violation Enforcement Policy

WHEREAS, the Board of Directors (“Board”) of Harbor Oaks Townhouses Association, Inc. (“Association”) is charged with the responsibility of exercising for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Amended and Restated Declaration of Covenants, Conditions, Easements, Restrictions, Charges and Fees for Harbor Oaks Townhouses Association, Inc. (“Declaration”) recorded November 28, 2006, in Book Y606, at Page 566, and the First Amendment to the Amended and Restated Declaration of Covenants, Conditions, Easements, Restrictions, Charges and Fees for Harbor Oaks Townhouses and Provision for the Harbor Oaks Townhouses Association, Inc. recorded September 16, 2009, in Book 0081, at Page 499; Violation Enforcement Policy recorded May 8, 2019 in Book 0794 at Page 330; Bylaws recorded July 25, 2019 in Book 0811 at Page 319, in the Charleston County Register of Deeds (collectively hereinafter, the Declaration and Bylaws may be referred to as “Governing Documents”).

WHEREAS, Article IV, Section 4.05, of the Bylaws provides that any “action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the Directors. Any action so approved shall have the same effect as they’re taken at a meeting of the Directors.”

WHEREAS, Article VI, Section 6.03, of the Bylaws states, “A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the board.”

WHEREAS, the South Carolina Homeowners Association Act, S.C. Code Ann. Section 27-30-110, et seq., requires all existing homeowner association’s governing documents, rules, regulations, and amendments be recorded.

WHEREAS, the Board has determined to make, adopt, amend, revise and promulgate a new Violation Enforcement Policy (a copy of which is attached hereto as Exhibit A, and incorporated herein by reference).

WHEREAS, at a duly held and authorized meeting of the Board held September 17, 2020, and the within Resolution and attached new Violation Enforcement Policy was put to a vote of the Board. The required quorum was present and the within Resolution and attached Violation Enforcement Policy were approved by the requisite members of the Board.

NOW THEREFORE, BE IT RESOLVED, in order to protect and assure an attractive, high quality community, and to best maintain and preserve the community, the Board affirms and adopts the attached Violation Enforcement Policy as follows:

1. The foregoing whereas paragraphs and recitals are and shall be deemed material and operative provisions of this Resolution, and not mere recitals, and are fully incorporated herein by this reference.

2. All capitalized terms used herein shall have the same meaning ascribed to them in the Declaration, unless the context shall clearly suggest or imply otherwise.

4. Further, the Board hereby affirms and adopts the Violation Enforcement Policy (attached hereto as Exhibit A, and incorporated herein by reference).

5. This Resolution and the attached Violation Enforcement Policy were affirmed and adopted by the Board on September 17, 2020.

6. The attached Violation Enforcement Policy shall be effective upon recording.

7. Distribution. The Association and/or the Association's property manager is authorized and directed to circulate a copy of this Resolution and the Violation Enforcement Policy upon recording. Members/Owners are responsible for distributing the same to all, without limitation, tenants, guests, occupants and residents.

HARBOR OAKS TOWNHOUSES ASSOCIATION, INC.:

<u>Megan Williams</u> Board Member/Director	<u>10/15/2020</u> Date	<u>[Signature]</u> Board Member/Director	<u>10-15-20</u> Date
<u>Cory Weagies</u> Board Member/Director	<u>10/15/2020</u> Date	_____ Board Member/Director	_____ Date
<u>[Signature]</u> Board Member/Director	<u>10/15/2020</u> Date	_____ Board Member/Director	_____ Date

Harbor Oaks Townhouses Association, Inc.

Violation Enforcement Policy

A system of reasonable enforcement policies, which includes fines, has been put into place to allow the ARB and the Harbor Oaks Townhouses' Association authority when enforcing the standards set forth in the Covenants and Restrictions. This fine structure is subject to change if the Board of Directors considers the current system ineffective. The Home Owner's Association steps of enforcement are as follows:

1. Courtesy Warning is sent to the Owner at the address on file with the Association (and if applicable a copy of the letter is also sent to the Current Resident of the property). Owner will be given 14 days to fix the violation.
2. If problem persists a letter is sent with a \$50 fine assessed to the residential Owner's account. Owner will be given 14 additional days to fix the violation.
3. If violation persists the Owner will be sent a second letter with a \$100 fine assessed to the Residential Owner's account. Owner will be given 14 additional days to fix the violation.
4. If violation persists the Owner will be sent third letter with a \$300 fine. Owner will be given 14 additional days to fix the violation.
5. If violation persists the Owner will be sent a fourth letter and referred to legal counsel. Additional fines of \$300 will continue to accrue every 14 days thereafter.

For any violations which are deemed to be of a particularly egregious or serious nature, at the sole discretion of the Board, the Association may levy a larger fine or fines up to \$1,000.00 per day. However, any such fines must first be authorized by affirmative vote of a majority of the Board.

The Association may choose to exercise its Rights to Perform Maintenance if a residential owner fails to maintain his Lot or Living Unit in accordance with the Declaration of Covenants, Conditions, Easements, Restrictions, Charges and Fees for Harbor Oaks Townhouses Association so long as 15 days written notice describing the repairs has been supplied to the Owner at the last known address on file. However, if the maintenance or repair is necessitated due to an emergency; the Association shall have the right to perform maintenance or repairs upon 24 hours advanced written notice supplied to the Owner at the last known address on file. The Owner will be assessed an Individual Expense Assessments for the cost of repairs including materials, labor, and fees plus 25%. The Covenants and Restrictions grant an easement to enter upon an Owners lot per Article 8 Easements Section 3. Easement to Enter Upon Lots. At any point during the violation process, the Association may choose to turn the matter over to legal counsel where all legal remedies will be pursued at the expense of the Owner.

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NOTE: This page **MUST** remain with the original document

Filed By:

SIMONS & DEAN ATTY AT LAW
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Michael Miller, Register Charleston County, SC		

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HARBOR OAKS ETC

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Recording Fee \$ 25.00
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