

## **KINGS CROSSING VIOLATION ENFORCEMENT POLICY**

**WHEREAS**, Kings Crossing Homeowners' Association, Inc. (the "Association") has authority pursuant to Article II, Section 1(b) and Article X, Section 1 of the Covenants, Conditions and Restrictions for King's Crossing Subdivision (the "Covenants") and Article 10, Section 10.2 of the Bylaws to determine, in its reasonable discretion, the manner of remedy for violations of the provisions set forth in the governing documents;

**WHEREAS**, The Board of Directors of the Association (the "Board") finds there is a need to establish procedures for the enforcement of the provisions of the Covenants, Bylaws, Articles of Incorporation, and rules and regulations of the Association and for the elimination of violations found to exist within Kings Crossing;

**NOW THEREFORE, BE IT RESOLVED THAT** the following procedures are established for the enforcement of the provisions of the Covenants, Bylaws, Articles of Incorporation, and all rules and regulations of the Association and for the elimination of violations found to exist on or about any property within Kings Crossing:

1. Remedies Available. For any violation of the Covenants, Bylaws, Articles of Incorporation, or any other rule or regulation, the Board shall have authority to levy fines until the violation is cured or to take any other action authorized in the governing documents or by South Carolina law.
2. Initial Courtesy Notice. An Initial Courtesy Notice shall be sent to the Lot Owner informing the Owner of the violation and requesting that it be cured.
3. Violation Notice. If the violation is not cured within the time set in the Initial Courtesy Notice, a Violation Notice shall be sent. The Violation Notice shall:
  - a. Identify the violation;
  - b. Demand that the violation be cured and specify any steps the owner must take to do so;
  - c. Specify the amount of fines that may be levied to the owner's account if the violation is not cured within the time set in the Violation Notice;
  - d. Provide information for the owner to request a hearing within ten (10) days of the date of the Violation Notice, after which time the right to request a hearing shall be waived.
4. Fine Notice. If the violation is not cured in the time period specified in the Violation Notice, a Fine Notice is sent to the Owner. The fine notice shall:
  - a. Identify the violation;
  - b. Demand that the violation be cured and specify any steps the owner must take to do so;
  - c. Specify the amount of fines that have been and will be levied to the owner's account until the violation is cured.
5. Cure Period for Continuing Violations. For those violations that are continuing in nature, fines shall not be applied without granting at least a five (5) day period in which to cure the violation. Violations that are not continuing in nature are subject to immediate fines without a cure period.
6. Verifying That a Violation Has Been Cured. It shall be the responsibility of the Owner of the Lot to provide evidence of the cure of the violation. Until appropriate evidence is provided any fines or other enforcement action taken shall continue.
7. Suspension of Rights or Privileges. In addition to any fines assessed against the Lot, the Board shall determine whether a suspension of rights or privileges should be imposed. If it is decided that a

suspension of rights or privileges should be imposed, the suspension may begin after the cure period and shall continue without further hearing until the violation is cured.

8. Limit of Fine Amounts. If it is decided that a fine will be imposed, a fine not to exceed one hundred dollars (\$100.00) may be imposed for the violation. Following the cure period given in the Violation Notice, if any, for each day after the cure period that the violation continues, a daily fine not to exceed one hundred dollars (\$100.00) may be imposed. There shall be no need for further hearing for the same violation.
9. Miscellaneous. Fines may be imposed for first violations and for any subsequent violation by following the procedures outlined above. Suspension of rights may include prohibiting any owner or occupant from using the common areas and any voting rights, but shall not include prohibiting ingress/egress to or from the owner's property.
10. Compliance as Goal; Possible Waiving of Portion of Fines. It is the express intent of this enforcement policy that any covenant violations be cured and the Board shall consider waiving fines once any violation has been cured.

**IT IS FURTHER RESOLVED THAT** this Violation Enforcement Policy replaces and supersedes in all respects all prior resolutions with respect to enforcement of the governing documents by Kings Crossing and is effective upon adoption, to remain in force and effect until revoked, modified, or amended.

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President

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Date

Adopted January 11, 2021

**Pursuant to S.C. Code § 27-30-130(D) the recording of any rules, regulations, bylaws, and any amendments to rules or regulations is not subject to the requirements of witnesses and acknowledgments required under S.C. Code § 30-5-30.**