



CC&R Enforcement / Due Process

The Discovery Point CC&Rs currently have no penalty for violations of its contents. The Board has determined that it is in the interest of the Lot owners to have an enforceable policy to assure timely and consistent compliance with the Rules and Regulations. Violations may result in a fine according to the Fine Schedule listed below. Failure to pay any portion of the fines will result in action by the Board of Directors in placing a lien against the owner in violation and may be foreclosed upon by the Association.

DUE PROCESS

The following three separate actions collectively comprise “Due Process”: (1) a written Report of Violation must be received by the DISCOVERY POINT HOMEOWNERS ASSOCIATION board; (2) a Notice Of Violation must be provided to all parties involved; (3) a Hearing Committee meeting must take place with opportunity for all parties involved to be heard.

REPORT OF VIOLATION

A report of a violation must be made in writing and delivered or mailed to the DISCOVERY POINT HOMEOWNERS ASSOCIATION Board of Directors or Property Manager. It must include contact names, phone numbers, and addresses, plus the specific date, time, and address of the home in violation. Verbal or anonymous reports will not be considered, and do not initiate Due Process.

NOTICE OF VIOLATION

A written notice of the reported violation shall be sent by the DISCOVERY POINT HOMEOWNERS ASSOCIATION BOARD or the Property Management Co. to the owner and parties involved.



HEARING COMMITTEE

A hearing shall be scheduled for the next Board meeting or a special hearing will be called to determine if there was a violation of the Rules. The Hearing Committee shall consist of three (3) members from the Board, Homeowner Association, or other individuals appointed by the Board.

All parties involved (owners, renters, residents) shall be notified of the hearing date and have an opportunity to be heard. The parties involved in the violation claim need not be present

for the Hearing committee to render a decision. The Hearing committee shall then determine, by a majority vote, if a Rules violation has occurred. All parties shall be notified of the decision in writing.

If the homeowner in violation offers no contest to the claim and takes immediate and effective action to rectify the situation, no hearing will be required, however the Fine Schedule outlined below will be enforced at the discretion of the Board of Directors. Documentation of the claim and its resolution status will be maintained by the Board of Directors for future reference.

FAILURE TO REFORM

Repeated reports of similar rules violations by the owner preceding the convening of the Hearing Committee meeting will be accumulative to that Hearing Committee meeting. Significant and successful efforts by the owner to correct the cause of the violation may be considered in the decision of the board directed fine imposed.

TIMELY OWNER ACTION

Action required of the owner to correct the cause of any rules infraction will be immediate, following the results of the Hearing Committee meeting, or within a timely basis as directed by the board at the time of the Hearing committee decision. If the owner fails to comply, and the rules violation still exists after the time or date specified by the board at the time of the Hearing committee decision, a written Report Of Violation can be initiated, launching the Due Process of a subsequent violation occurrence.



FINE SCHEDULE

The Fine Schedule for any Rules violation will be at the discretion of the DISCOVERY POINT HOMEOWNERS ASSOCIATION Board of Directors, and made prior to, or at the Hearing Committee meeting. The newly adopted Fine Schedule is as follows:

Incident Occurrence	Infraction Fee
First	Warning Letter
Second	\$50
Subsequent	\$100

THE PURPOSE OF ASSESSING A FINE IS TO ENCOURAGE COMPLIANCE WITH THE
RULES ONCE A WRITTEN NOTICE OF VIOLATION HAS BEEN ISSUED.

This CC&R Enforcement / Due Process was adopted by the DISCOVERY POINT HOMEOWNERS ASSOCIATION Board of Directors, and will be effective December 1, 2016.

Allison Heaton
President

Brian Bunker
Vice President

Joe Brooke
Treasurer

Michelle Tibke
Secretary