

SEASCAPE PLANNED COMMUNITY HOMEOWNER ASSOCIATION
COVENANT ENFORCEMENT POLICY
Board Adopted January 16, 2003

Initial Complaint

Upon written notification that a homeowner is in violation of a covenant, whether submitted by a homeowner or other, the Board of Directors shall be charged with the responsibility of determining whether an actual violation is taking place. Each director shall consider the complaint and decide that a violation exists, a letter shall be sent to the homeowners informing them that a covenant is being violated, describing which covenant is being violated, and informing them that they have fourteen (14) days in which to correct the violation.

Homeowners have the right to appeal the Board of Director's decision. Any appeal must be made within ten (10) days after the notice of violation is sent out. Such an appeal shall be in writing and state with specificity all of the reasons why they feel they are in compliance with the covenants or why they believe an exception should be made. An appeal will effectively stay the initial fourteen (14) day period in which to correct the violation.

The Board of Directors shall consider the appeal. If after considering the appeal the Board determines that the homeowner is in compliance with the covenants, the complaint will be dismissed and no further action shall be taken. In appropriate circumstances, the Board is also free to grant an exception to the covenants for an individual homeowner. Such an exception can be granted if a majority of the directors determine that such an exception is warranted. If a majority of the Board of Directors determine the homeowner remains in non-compliance and should not be entitled to an exception, the homeowner shall be notified of such a decision, and correctable action shall be taken.

Corrective Action

Corrective action shall first consist of sending a letter to the homeowners informing them that they have fourteen (14) days in which to correct the non-compliance. If satisfactory corrective action is taken by the homeowners, the complaint will be dismissed and no further action shall be taken. The homeowners may request additional time to rectify the non-compliance. Such a request shall be in writing. If a majority of the Board of Directors determine that a request for additional time is justified, they shall grant an additional period not exceeding thirty (30) days. If the homeowners provide insufficient justification for a delay, the Board of Directors may deny the request and proceed accordingly.

If after fourteen (14) days the homeowners remain in non-compliance with the covenants, they will be assessed an initial one-hundred dollar (\$100) fine. For each week thereafter in which the homeowners remain in non-compliance, they will be assessed an additional twenty-five dollar (\$25) fine.

Covenant Enforcement

If after being assessed a fine the homeowner refuses to pay, the Board of Directors may file suit on behalf of the Homeowners Association, if a majority of the directors determine that such an action is appropriate. Such a suit can seek either the payment of fines or affirmative action seeking to force the homeowners to comply with the covenants.