



Highland Palms Senior Estates & Country Club, Inc.
A 55+ Senior Community in Riverside County

30777 Butia Palm Ave., Homeland, CA 92548
Telephone (951) 926-3952 FAX (951) 926-4365

Enforcement Policy and Schedule of Fines for violations of the governing documents of Highland Palms Senior Estates & Country Club, Inc.

The following policies and associated fines constitute the enforcement procedures governing Members of the Association who violate the governing documents of Highland Palms Senior Estates & Country Club, Inc.

These policies and fines were adopted by the Board of Directors at an open Board Meeting on Sept. 12, 2016 following publication for a 30-day comments period by the Membership as provided for in Article 6 of the Bylaws and amended Nov. 5, 2020, Aug. 12, 2021, and Aug. 3, 2023 following the same procedure.

The policies stated herein apply to violations of any of the governing documents of the Highland Palms Senior Estates & Country Club, Inc., including the Articles of Incorporation, the Bylaws, the Covenants, Conditions, and Restrictions (CC&Rs) or the Policies, Rules, and Regulations (Rules).

1. **COMPLAINTS:** Disciplinary proceedings may be based on complaints from other Members or residents or upon the initiative of the Board if a Member of the Board personally observes a suspected violation. All complaints must be submitted in writing and signed by the complaining party (complainant). The Association will only act on anonymous or verbal complaints if the information in the complaint can be verified independently. Upon receipt of a complaint, the vice president shall investigate to determine whether the complaint can be resolved without a hearing, be dismissed with the consent of the Board, handled with a violation notice, or scheduled for a hearing before the Rules Committee. Complainants must be prepared to appear at any disciplinary hearing based on their complaints to testify as to the nature of the alleged violation(s). As provided for in the governing documents, Members are responsible for any violations committed by them as well as those committed by their family Members, Tenants, pets, Guests, Caregivers, or visitors or the pets of any of said persons.
2. **COURTESY NOTICE:** Accused Members (respondents) will be given a Courtesy Notice when a violation is reported and will have 15 business days from the date of the notice to correct the matter or dispute the allegation in writing.
3. **VIOLATION NOTICE:** If respondent fails to respond or fails to correct the reported violation, a formal violation notice will be issued giving the respondent 10 business days to cure the violation.
4. **HEARING:** In the event the respondent(s) fail to respond in writing within the designated period, challenges the allegation that they are in violation of the governing documents, or if the Board believes the proffered explanation is insufficient, a hearing (as provided in Article 10 of the CC&Rs) shall be scheduled to ascertain the facts. Respondents shall be

given 10 business days written notice of the date and time of the hearing, delivered either in person or by first-class mail. At the time stated, respondents may appear in person or may submit a written response and may present witnesses and evidence on their behalf. If the allegations stemmed from a complaint, the complainant shall be required to appear to testify about the complaint, unless the complaint has been independently verified by the Board. All hearings are held in executive session and are closed to the public. Hearings will be conducted by the Association's Rules Committee, except in cases involving allegations of harassment or discrimination, which will be heard by the Board of Directors.

5. POSTPONEMENTS: Requests for postponements to accommodate respondents for medical reasons should be submitted in writing at least two business days in advance of the hearing date and will be routinely granted. Respondents must confer with the Board to arrange a mutually acceptable alternative date. All other requests for postponements must be submitted in writing at least four business days in advance of the hearing. As a general rule, only one postponement for reasons other than medical accommodations will be granted and may not be for more than 14 days.
6. DECISIONS: Upon completion of the hearing, the Board will deliberate and must provide respondents with a written notice of its findings and any disciplinary action within 15 business days of the conclusion of the hearing. The decisions must be noted in the minutes of the next open Board meeting, but only in general terms to include the nature of the charges and the decision, but without identifying complainants or respondents.
7. PENALTIES: If the Board finds the respondents guilty of violating the governing documents, the following penalties may be imposed, either individually or in any combination.
 - A. For one-time (non-continuing) violations:
 - (i) Suspension of Membership privileges, including the use of all common property facilities, i.e., the clubhouses, the swimming pool, and the golf course, for up to 30 days;
 - (ii) A fine of up to \$1,000 for each violation.
 - B. For continuing violations, which are defined as violations that persist, the penalties may be imposed as follows (either individually or in any combination):
 - (i) Suspension of Membership privileges, including the use of all common property facilities, i.e., the clubhouses, the swimming pool, and the golf course, for as long as the violation persists.
 - (ii) A fine of up to \$1,000 for each violation. Because each day that the violation persists constitutes a new violation, the fine may be imposed on a daily, weekly, or monthly basis, and continues for as long as the violation persists.
 - C. Repeat offenses: Upon finding respondents guilty of repeat violations of the same offense, all fines shall be doubled, subject to a maximum of \$2,000 for a single occurrence and \$500/day for a continuing violation.
 - D. Safety violations: The maximum penalty for a safety violation is \$2,000, which may be imposed either as a one-time fine or, if it is a continuing violation, on a daily, weekly, or monthly basis for as long as the violation persists.
 - E. For a first violation, the Board may waive the monetary penalty or issue a warning. In addition, the Board may, as an incentive to ensure compliance, offer to waive any

monetary penalties if the violation is corrected within 30 days of the use of the hearing.

8. **APPEALS AND RECONSIDERATIONS:** Rulings of the Rules Committee of the Highland Palms Senior Estates & Country Club, Inc. may be appealed to the Board of Directors. In addition, respondents may request reconsideration if they have new or different facts not presented in the original hearing. Such requests must be submitted in writing within 15 business days of receiving the Notice of Decision. A respondent also may file a written demand for Internal Dispute Resolution.
9. **SCHEDULE OF FINES:** Following is a list of the schedule of monetary penalties (fines) that may be imposed following a properly noticed disciplinary hearing. These fines may be imposed in addition to any other penalties authorized by the governing documents (see item 7 above). All fines are in addition to any actual costs, damages, or expenses, including attorney's fees, incurred by the Association in obtaining compliance with the governing documents. Any violation not specifically listed below is subject to a minimum fine of \$25 and a maximum fine of \$1,000 (\$2,000 maximum for a second offence or \$2,000 maximum for a safety violation.) Fines are due and payable within 30 days of the date of the hearing decision notice. The Board shall review the schedule of fines every other year (odd years) to determine whether the schedule needs to be amended.

SCHEDULE OF FINES

Violation	Single Occurrence	Continuing violation
Age violation (each unauthorized person under age 55 is a separate violation)	Up to \$500 per person	Not less than \$75 per day per person
Architectural	Up to \$500	\$25 per day
Excessive noise	Up to \$500	\$25 per day
Harassment/intimidation	Not less than \$100 per day per occurrence.	\$200 per occurrence
Parking in Handicapped Space	\$25.00	
Violation of rules for parking on Residential Lot	Warning on first offence, \$25 for each subsequent offence	\$25 per day
Parking or stopping in a no parking zone or at red curb	A warning for first offence, \$25 for a 2 nd , each subsequent offence increases by \$25.	
Pet (over limit)	Up to \$500	\$25 per day
Pet (excessive barking)	Up to \$500	\$50 per day
Pet (leash violation)	\$25 per occurrence	
Pet (common property)	\$25 per occurrence	

Smoking in clubhouses, pool area, courtyard or golf clubhouse covered patio	Up to \$500 (doubled for repeat violations within 1 year).	
Storage violation	Up to \$500	\$25 per day
Trash cans	Warning on first offence, \$25 for each subsequent offence	
Trash left on common property	\$50 (Doubled for repeat violations within 1 year)	
Yard/Estate sale (unauthorized)	\$50	