

**WALLACE PARK HOMEOWNERS ASSOCIATION**  
**RULES ENFORCEMENT POLICY AND PROCEDURES**

WHEREAS, Article VII, Section 1 (A) of the By-Laws grants the Board of Directors ("Board") the power and duty "to adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof."

WHEREAS, for the benefit and protection of the Association and of the individual members, the Board deems it desirable to establish and operate by a uniform procedure to assure an orderly disposition of all cases where there is a question of compliance by a unit owner, his family, his guests or tenants, with the provisions of the Declaration, By-Laws or the Rules and Regulations as amended ("Association Documents"), thereby minimizing the necessity of seeking action in and through a court of law or equity; and

WHEREAS, it is the intent of the Board to establish a uniform procedure to follow where they must take action relative to questions of compliance by individuals with the provisions of the Association Documents;

NOW, THEREFORE BE IT RESOLVED that the following be adopted by the Board as the Rules Enforcement Policy and Procedure of the Wallace Park Homeowners Association.

This policy is to be used by the Board in all cases of alleged violations of the Association Documents. The Board must have documentation of the alleged violation. This documentation can be in the form of a letter or note or a completed Rule Violation Form, from any unit owner or a report from the management representative. This documentation should state essentially the following:

- 1) The nature of the violation;
- 2) The date and approximate time of the violation;
- 3) The approximate location of the violation;
- 4) The name and unit address of the offending party;
- 5) The name and unit address of the person reporting the violation;
- 6) A statement verifying that the person reporting the violation actually observed the violation; and
- 7) Any other information that may aid the Board in resolving the violation.

The sequence of events in enforcing this policy and procedure is as follows:

If, in the opinion of the Board or its authorized management agent, the reported violation does not endanger other residents or common elements and can best be cured by a warning, the Board or its authorized agent shall cause a letter to be sent by regular mail to the offending party and/or unit owner describing the alleged violation, demanding (1) that any such violation cease immediately, and (2) if appropriate, the common element that was damaged by the violation be restored.

If the violating party and/or unit owner does not comply with the warning letter, and continues thereafter to violate the Association Documents, the Board or its authorized agent shall cause to be sent to the offending party and/or unit owner by regular mail a written notice of the violation and pending fine, containing essentially the following information:

- 1) A description of the nature, the time and place of the violation;
- 2) A demand that the violation immediately cease and that any damage to the common elements be restored, within a ten (10) day period;
- 3) A statement that a fine in the amount of \$25.00 is imposed on the offending party and/or unit owner;

- 4) A statement that if the offender and/or unit owner wishes to appeal the fine, he/she must contact the managing agent (or the Board if there is no managing agent) in writing, within ten (10) days from the date of the notice of violation, requesting a hearing before the Board. Any request for an appeal before the Board will stay the imposition of any fine until the Board disposes of the case, noting however that if the Board finds the alleged violator and/or unit owner guilty of the infraction charged that any fine imposed will be retroactive to the date of the Board's initial notice of the violation to the violator and/or unit owner;
- 5) A warning that, if the violation continues, a fine of ten dollars (\$10.00) per day thereafter will be imposed until the violation has been cured; and
- 6) A statement that any damage caused by the violation will be assessed against the offending party and/or unit owner, and that attorney fees and costs may be assessed accordingly.

If any fines imposed by the Board under this policy and procedure are not paid within thirty (30) days of the initial assessment or the violation otherwise continues, the matter may be referred by the Board to legal counsel for appropriate legal action. If the matter is referred to legal counsel, all reasonable attorney's fees, interest and costs incurred shall be assessed and collected against the offending party and/or unit owner. If at any time a unit owner or violator fails to pay any sums due to the Association for any reason, then those sums due will accrue interest at the rate of one percent (1%) per month on the outstanding balance until said sums are paid in full.

The following is in compliance with Article VI, Section 2 of the Declaration of Covenants, Conditions and Restrictions dated June 11, 1976:

In the event that any Owner shall fail to maintain any Lot or the premises and the improvements situate thereon in a manner satisfactory to the Board, the Association, after approval by two-thirds (2/3) vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said Lot and to repair, maintain and/or restore the Lot, the premises and any improvements erected thereon. Such right of entry and repair shall be exercisable only upon thirty (30) days written notice given to the owner thereof, unless, in the discretion of the Board, a genuine emergency necessitates a shorter period time. The costs of any such repairs, maintenance and/or restoration shall be added to and become part of the assessment to which such Lot and Lot Owner is subject. All correspondence is to be sent via certified mail, return receipt requested.

All fines are to be paid to:

WALLACE PARK HOMEOWNERS ASSOCIATION  
c/o Acri Commercial Realty, Inc.  
290 Perry Highway  
Pittsburgh, PA 15229

Adopted by the Wallace Park Homeowners Association Board of Directors this 18th day of April 1994, and amended on February 19, 2001 to refer to Article VI, Section 2 of the Declaration of Covenants, Conditions and Restrictions dated June 11, 1976.