

Wheatfield Lakes Homeowners Association

jeffrey@realtyperformancegroup.com (716) 204-2771

52 South Union Rd. Williamsville, NY 14221

Fines & Penalties (Violations)

Monetary fines and penalties may be assessed by the Board of Directors for a violation of the Association's Declaration, Bylaws, General Covenants and Restrictions or Rules and Regulations as set forth herein.

General Fine Schedule

Unless otherwise defined below, a fine for a violation will be based on the following fine schedule.

1. If an Owner receives a letter from the Board of Directors or their authorized representative requesting the Owner to cease an action or take corrective action, the Owner will have ten (10) days from the date of the letter to appeal in writing or request a hearing through the Board of Directors or their authorized representative or comply with the request. If there is no written appeal or request for a hearing, and the violation remains out of compliance after said ten (10) days, a fine of twenty-five US dollars (\$25.00) will be assessed against the property daily at 7:00 a.m. until compliance is achieved.
2. For any subsequent offense of a similar nature, a one hundred US dollar (\$100) fine will be immediately assessed against the unit and an additional one hundred seventy-five US dollar (\$175) fine will be assessed against the unit every seven (7) days from the date of the violation letter at 7:00 a.m.
3. Failure to pay any fines assessed will result in a late fee of 10% being assessed after 30 days. Thereafter, interest will be assessed on the first of each month at an annual rate of 24%. Should it become necessary to involve the Association's legal counsel, any legal fees will also be assessed against your property.

Description	Ref	Grace	1st Fine	Thereafter	2nd Offense (Immediate)	Thereafter
Black Light Post off at night	7.07 11.22	3 day	\$10	\$10/day	\$10	\$10/day
Non-compliant shed	VI. M.	30 day	\$500	\$25/day	\$1000	\$35/day
Non-compliant fence	VI. N.	30 day	\$500	\$25/day	\$1000	\$35/day

Each reported or found violation will be reviewed by the Board of Directors. The Board reserves the right to deem that it is not a violation of the rules, may reduce the total fine due to extenuating circumstances, or may extend or shorten the time to remedy said violation due to specific circumstances. The Board may deem any egregious violation to be acted upon immediately to rectify the situation for the good of the community.

NOTE: Fine structure was presented, discussed, and approved at the Board of Directors meeting held on November 17th, 2020

~FINES WILL BE STRICTLY ENFORCED~

Wheatfield Lakes Homeowners Association

jeffrey@realtyperformancegroup.com (716) 204-2771

52 South Union Rd. Williamsville, NY 14221

Opportunity to Dispute

Each owner charged with a violation of the Association's Declaration, Bylaws, General Covenants and Restrictions or Rules and Regulations shall receive written notice of said violation as well as the fine or penalty to be assessed.

For a first instance of a violation, the Owner shall be given an opportunity to take corrective action (i.e. "cure") prior to the assessment of any fine or penalty.

For a first instance of a violation, the Owner shall have the right to submit in writing to the Board of Directors such written explanation of excuse or evidence in dispute of the charged violation and to appear before the Board of Directors at its next regularly scheduled meeting and be heard concerning the charged violation. If the next meeting of the Board of Directors is more than thirty (30) days from the Owner's receipt of notice of such violation, the Owner may appear before the Board of Directors at a mutually convenient time.

The Board of Directors in its sole discretion shall determine what period of time to cease, correct and/or refute a violation is reasonable and appropriate under the circumstances.

An Owner's opportunity to dispute a violation as set forth in this Rule shall not limit or be a condition precedent to the Association's right to enforce any provision of the Association's Declaration, Bylaws, General Covenants and Restrictions or Rules and Regulations by legal action or administrative means, including, but not limited to, injunctive relief or to file a lien against the Lot against which such assessment is made.