

AMENDED BYLAWS OF HOMEOWNERS MANUAL
Creek at Chester Homeowner's Association
Revised: December 2020

Including revised collection of dues policy

Revised Collection Policy

Invoices are mailed in March and a second in September for those who pay biannually. Late statements may be sent for any homeowner who owes more than one full assessment or is past the grace period.

Association assessments are due as follows:

Due 15 th day of billed month	Late charges if payment received after last day of month following due date	Late charges \$25 plus 18% interest per month until paid
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Checks returned for any reason will be subject to a \$40 fee.

Each unpaid assessment shall constitute a lien on the respective real property prior and superior to all other liens except 1) all taxes, bonds, assessments, and other levies which, by law, would be superior thereto; and 2) the lien or charges of any mortgage of record made in good faith and for value. Such lien, when delinquent, may be enforced by the Association, its attorney, or any other person authorized by this Declaration or by law, after failure of the Owner to pay such Assessments, in accordance with the provisions permitted by law.

- You may receive a notice of intent to lien if assessments are 60 or more days past due. A \$50 fee will be charged to your account for the intent to lien.
- A lien will be recorded if assessments are greater than \$500 and more than 90 days past due. A fee in the amount of at least \$200 will be charged to your account for filing the lien.
- Any monies paid which do not cover all past due assessments plus late charges and other penalties will be applied in the following priority unless specifically designated otherwise:
 1. Assessments;
 2. Late Fees;
 3. Other fines and penalties;
 4. Attorney fees and costs; and
 5. Interest
- The association reserves the right to send any homeowner delinquent in their assessments to a third-party collection agency once the lien has been filed. Third party collection agencies may have their own fees and interest in addition to that charged by the association.
- Litigation may be initiated if assessments are 180 days or more past and the lien has been filed. If such action becomes necessary, all fees and costs incurred will be sought, including a \$150 initial legal processing fee.

1. Suit to recover a money judgment for unpaid assessments, rents, and/or attorney fees shall be maintainable without foreclosing or waiving the lien securing the same. The board of directors may impose reasonable monetary penalties including actual attorney fees and costs and may temporarily suspend the association membership rights of any owner who is in default of payment of any assessment, after notice and hearing according to the Bylaws.

Covenant Violation Policy

If you are in violation of any general covenant, you will receive a courtesy notice of violation in the mail. If you correct the violation within the time noted in your Notice of Violation letter, the issue will be considered resolved.

If you fail to correct the general violation within the time allowed, you will receive a final notice of violation letter. If you continue to fail to correct the violation you will receive an initial notice of fine. The schedule of fines is as follows:

First Violation:	\$100.00
Second Similar Violation:	\$250.00
Third Similar Violation:	\$500.00
Fourth and All Subsequent Similar Violations:	\$1,000.00

Note: The Board, at its sole discretion, may levy a fine of any amount depending on the circumstances in accordance with its authority granted under Article V, Section 5.10 of the CC&Rs.

If any Architectural revisions are made to a Lot in violation of any Architectural Review covenants, restrictions, or requirements, the fine will vary dependent upon on the scope and nature of the violation from \$500.00 to \$1,500.00, as determined by the Board. Any improvements or changes that require approval from the Architectural Review Committee (ARC) that begin before or without ARC written approval will be subject to a fine of up to \$1,000.00, as determined by the Board.

If you dispute the fine/violation, you will have fourteen (14) days within which to request a hearing. If you fail to do so, your right to dispute the fine will be deemed waived and the fine will be final. If you request a hearing, the violation and fine will be determined at a hearing by the Board, and the Board's decision shall be final and binding. Unpaid fines will be sent to an attorney or third-party collection agency for collection. Said collection may also result in attorney fees, additional interest, and costs being charged to you. To request a hearing, contact the Board at board@chestercreekhoa.com.