

Hunters Ridge of New Bern Homeowners' Association, Inc.

Enforcement, Fine and Appellate Procedure

In accordance with the Declaration of Restrictions, Conditions and Easements of Hunters Ridge of New Bern Homeowners' Association, Inc. (the "Covenants"), the Board of Directors of Hunters Ridge of New Bern Homeowners' Association, Inc. (the "Board") has created and adopted this Enforcement, Fine and Appellate Procedure for property compliance issues subject to Section 15, Compliance and Enforcement, of the Covenants. Such policy is in compliance with the guidelines and provisions set forth in N. C. Gen. Stat. § 47F-3-107.1.

Upon notification and confirmation of any reported violation of the Covenants by a member of the Board or Real Estate Plus, Inc., d/b/a Management Services ("Management Company"), written notice of such violation shall be issued to the offending property owner of the subject property. The first notice shall be submitted through First Class U. S. Mail. Included with the notice will be a copy of the Enforcement, Fine, and Appeal Procedure. The notice will contain the following provisions:

- Details of the violation(s) and reference to the specific covenant that is violated;
- Photographs, if available; and
- Ten (10) day timeframe in which to correct the violation.

Should the matter not be resolved within the ten-day timeframe, a second notice will be issued via U. S. Certified Mail. The second notice will contain the following provisions:

- Details of the violation(s) and failure to comply with the first written notice; and
- Notice of a hearing before an Adjudicatory Panel ("Panel"). Notice shall be sent at least ten (10) days prior to the hearing.

If the Panel finds that the homeowner is in violation of a restrictive covenant, by-laws, or rules or regulations, the homeowner shall be allowed five (5) days to correct the violation after notice. Fines of **\$10.00** per day shall begin on the sixth day if the corrective measure is not completed.

The homeowner may appeal the Panel's decision within fifteen (15) days after the date of the decision of the Adjudicatory Panel. The appeal is to the Board of Directors ("Board") for de novo review. The Board's decision is final. The homeowner may appeal by filing a civil action in the Craven County Civil Superior or District Court.

If the Board affirms the Panel's decision that the homeowner is in violation of a restrictive covenant, fines of **\$10.00** per day shall continue. If at a hearing with either the Panel or the Board, it is decided that the property owner is not in violation of the Covenants or a waiver has been granted, no fines shall be imposed.

Approved 06/18/2009

The effective date of the Enforcement, Fine and Appellate Procedure is July 19, 2009.