

## **Bishop Farms Homeowners Association (BFHOA) Covenant Enforcement & Fining Policy**

**Bishop Farms Subdivision Protective Covenants ARTICLE XII, General Provisions, Section I, Enforcement States:** Each Owner [Homeowner] and every Occupant shall comply strictly with the By-Laws, the rules and regulations, the use restrictions, and with the design guidelines, all as may be amended or modified from time to time, and with the covenants, conditions, and restrictions set forth in this Declaration, as may be amended from time to time, and in the deed to his or her property within the Community, if any. **The Board may impose fines or other sanctions, which shall be collected as provided herein for the collection of assessments. Failure to comply with this Declaration, the By-Laws, the rules and regulations, use restrictions, or design guidelines shall be grounds for an action to recover sums due for damages or injunctive relief, or both, maintainable by the Board, on behalf of the Association, or, in a proper case, by an aggrieved Owner or Occupant.** Failure by the Board, Declarant, or any Owner or Occupant to enforce any of the foregoing shall in no event be deemed a waiver of the right to do so thereafter. The Board shall have the right to record in the appropriate land records a notice of violation of the Declaration, By-Laws, and to assess the cost of recording and removing such notice against the Owner who is responsible (or whose Occupants are responsible) for violating the foregoing.

The Bishop Farms Homeowners Association (BFHOA) Board of Directors adopts this **Covenant Enforcement and Fining Policy** to ensure consistent enforcement of the Association's Protective Covenants, By-Laws, Community Wide Standards, rules, regulations, use restrictions, and design guidelines (collectively, the "Governing Documents").

This policy is intended to promote compliance while providing fair notice and due process to Owners and Occupants. Failure to correct a violation may result in fines, legal enforcement, or other remedies permitted under the Governing Documents.

### **1. Notice of Violation**

Except where otherwise noted in the **Fine Schedule**, violations will follow the **three-notice process** described below.

#### **First Notice – Courtesy Notice**

The Association will provide written notice of the violation to the Owner or Occupant by email or other delivery method. The notice will request that the violation be corrected within **ten (10) days**.

**Fine:** None unless specified in the Fine Schedule.

#### **Second Notice**

If the violation is not corrected within **ten (10) days of the First Notice** and no Board-approved extension has been granted, or if the same violation occurs again within one (1) year, a **Second Notice** will be issued by email and First-Class mail requesting correction within ten (10) days. If the violation reoccurs within six (6) months of the First Notice, the Board may assess a fine of up to \$5 per day, retroactive to the date of the First Notice.

**Fine:** None unless specified in the Fine Schedule.

#### **Third Notice – Final Notice of Non-Compliance**

If the violation is not corrected within **ten (10) days** after the Second Notice and no Board-approved extension has been granted, or if **the violation reoccurs within six (6) months** of the Second Notice, a **Third and Final Notice** will be issued, and the Board may impose a fine of \$5 per day retroactive to the date of the Second Notice.

# **Bishop Farms Homeowners Association (BFHOA) Covenant Enforcement & Fining Policy** **(Continued)**

If the Occupant is not the Owner, the Owner will also receive a copy of the notice.

Failure to correct the violation may result in **finances, legal enforcement, or other remedies available under the Governing Documents.**

---

## **2. Immediate Fine Violations**

The following violations may result in **immediate fines without formal-notice process:**

1. Exterior property modifications without an approved **Architectural Review Request (ARR)**
  2. Placing large trash at the curb prior to the **Saturday before scheduled pickup without prior approval of the Board of Directors**
  3. Placing Garbage or recycling containers at the curb **more than 24 hours before pickup without prior approval of the Board of Directors**
  4. Leaving Garbage or recycling containers at the curb **more than 24 hours after pickup without prior approval of the Board of Directors**
  5. Failure to store trash or recycling containers **out of view from the street**
- 

## **3. Fines and Payment**

All fines will be assessed according to the **BFHOA Fine Schedule.**

- Some violations may accrue daily fines as outlined by the Fine Schedule until corrected.
  - Payment of fines is due within **thirty (30) days** of notice.
  - Unpaid fines after 30 days will accrue **\$5 per day**, retroactive to the original fine date
  - Fines exceeding **\$600** may be referred to the Association attorney for collection.
  - The Association may suspend **community privileges and facility access** for any Owner or Occupant with delinquent fines exceeding **30 days.**
- 

## **4. Legal Enforcement**

If a violation remains unresolved after the Third Notice, the Board may pursue **legal action to compel compliance.**

If legal counsel is engaged, the Owner will be responsible for **all legal fees, administrative costs, and enforcement expenses** incurred by the Association. These costs will be assessed to the Owner and collected in the same manner as assessments.

---

## **5. Self-Help**

Pursuant to **Article XII, Section 2 (Self-Help)** of the Protective Covenants, the Association may correct certain violations if the Owner fails to take corrective action.

## **Bishop Farms Homeowners Association (BFHOA) Covenant Enforcement & Fining Policy** **(Continued)**

Prior to exercising this authority, the Association will provide **Certified Mail notice** of its intent to perform the corrective action. The notice will include:

- A description of the violation
- Estimated cost of correction
- Notice of the Association's intent to contract the work

All costs incurred will be assessed to the Owner. Payment is due within **ten (10) days** of invoicing.

Failure to pay may result in **collection action and additional legal fees**.

---

### **6. Liens and Collections**

If fines, enforcement costs, or self-help expenses remain unpaid, the Association may place a **lien on the property** in accordance with the Governing Documents and applicable law.

The Owner will be notified by **regular and certified mail** prior to the lien filing.

---

### **7. Right to Hearing**

In accordance with **Bishop Farms By-Laws, Paragraph C, Section 21**, an Owner or Occupant may request a hearing regarding any fine imposed.

#### **Hearing Requests**

- Must be submitted **in writing**
- Must be received within **ten (10) days** of the Third Notice
- Must be directed to the **Bishop Farms Board of Directors**

The Owner or Occupant may present statements, evidence, and witnesses.

Hearings will be conducted in **executive session** before the Board. The decision of the Board will be documented in the meeting minutes.

Failure to request a hearing within the required time period **waives the right to contest the fine**.

---

### **8. Discretion of the Board**

The Board of Directors reserves the right to:

- Evaluate each violation on a **case-by-case basis**
  - Adjust enforcement actions as necessary
  - Amend or deviate from the fine schedule when required to ensure **fair and consistent enforcement**
-

**Bishop Farms Homeowners Association (BFHOA) Covenant Enforcement & Fining Policy**  
**(Continued)**

**9. Policy Adoption**

This policy supersedes the **July 15, 2022 enforcement resolution.**

Recorded in the Book of Minutes: **April 7, 2026**

Effective Date: **April 7, 2025**

Termination: **Open-Ended Policy**

**Bishop Farms HOA Fine Schedule**

<b>Violation</b>	<b>First</b>	<b>Second</b>	<b>Third</b>	<b>Subsequent</b>	<b>Notes</b>
<b>Property Changes without Approved ARR</b> (Art. VI Sec.10)	\$100	\$150	\$200	+\$50 each additional occurrence —	Exterior modifications require prior ARC approval.
<b>Property Maintenance Violations</b> (Art. V Sec.2)	Warning	Warning	Warning	\$10/day from date of First Notice until Corrected	Fine Continues Until Corrected or Board decides to utilize Self-Help authority.
<b>Signs</b> (Art. VI Sec.3)	Warning	\$5/day	-	Continuing	Retroactive to first notice until removed.
<b>Vehicle / Parking Violations</b> (Art. VI Sec.4)	Warning	\$50	\$100	+\$50 each occurrence	Escalating penalty.
<b>Animal / Pet Violations</b> (Art. VI Sec.7)	Warning	\$50	\$100	+\$50 each occurrence	Reset after one year without violation.
<b>Garbage / Recycling Storage</b> (Art. VI Sec.15)	\$50	\$100	\$150	+\$50 each occurrence	Containers must be stored out of street view.
<b>Early or Late Garbage Placement</b>	\$50	\$100	\$150	+\$50 each occurrence	24-hour rule applies.
<b>Early Large Trash Placement Curbside</b>	\$100	\$150	\$200	+\$50 each occurrence	Only allowed beginning Saturday before pickup.
<b>All Other Art. VI Violations</b>	Warning	Warning	Warning	\$10/day from date of First Notice	Board may utilize Self-Help authority.
<b>Repeat Violation within 6 Months</b>	Warning	Retroactive \$5/day	-	Continuing	Retroactive to first notice; Board discretion.

# Notice of Violation (Non-Compliance) Process

Except where noted in the Fine Schedule, violation will follow this Process

