

EAGLE PEAK RANCH WEST PROPERTY OWNERS ASSOCIATION
COVENANT AND RULE ENFORCEMENT POLICY AND PROCEDURE

Reference: Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Eagle Peak Ranch West Fremont County, Colorado, 12/07/2020... Section 3.8 "The Board may adopt a schedule of fines for failure to abide by the Architectural Guidelines, including fines for failure to obtain any approval from the Board"

1. Enforcement Procedure. The Board of Directors will impose fines and fees after following the notice and hearing procedure prescribed below:
 - A. Complaint. Any Owner may send the Association Board of Directors a written complaint by email or first-class letter with as much information as is known of a covenant or rule violation. Complaints may also be initiated by any member of the Board/Architectural Committee. The Board is not obligated to formally consider oral or anonymous complaints. The Board will determine whether a written complaint is justified before commencing the notice and hearing procedure.
 - B. Notice of Alleged Violation. The Board will notify, in writing, the alleged violation to the Owner as soon as practicable. The notice will describe the nature of the violation and the fine that may be imposed, and also the right of the Owner to request a hearing to contest the violation or proposed fine.
 - C. Request for Hearing. If an Owner desires a hearing to contest an alleged violation and possible fine, or to explain mitigating circumstances, he must request a hearing within 14 days from the date of the notice of the alleged violation. If a hearing is not requested within the 14 day period, the Board will determine if there was a violation, based on available information, and assess any fine. Information will then be provided to the Owner as to the finding and fine, in writing, within a reasonable time.
 - D. Hearing Board. A minimum of three Directors will comprise the hearing board, presiding member to be determined by the Directors present.
 - E. Conflict of Interest. The Owner with an alleged violation will be afforded a fair and impartial, fact driven process, by impartial Board members. Decisions will be made only by hearing board members without a direct personal or financial interest in any outcome. Hearing board members unable to make an objective, unbiased consideration will notify the presiding officer, prior to the proceeding and will be disqualified. If this results in an even number of hearing board members, the presiding Director may appoint an Association Member, in good standing, to serve as a voting member of the hearing board.
 - F. Hearing. The Board of Directors will inform the Owner of the scheduled date, time, and place of the requested hearing by email, or regular mail. Telephone may be used to verify receipt of notice. The presiding Director may grant continuances for good cause. At the start of the hearing, the presiding officer will explain the rules, procedures and guidelines to be used during the meeting. The complaining parties and the Owner may attend, but are not under obligation to be present. Parties/Owner may present facts, testimony and/or witnesses. If the complaining party is unable to attend the hearing, they may submit a letter to the Board of Directors, explaining the complaint. Any decision will be based on matters set forth in the notice of alleged violation, request for hearing, and any factual evidence presented. Unless otherwise determined by the Board (for matters of privacy issues— See Association Bylaws "Section 6.5 Executive Sessions), the hearings will be open to attendance by Association Members, in accordance with the Colorado Common Interest Ownership Act.
 - G. Decision. After consideration of all presentations, the hearing board will render its finding, in writing, along with any fine assessment. The judgment, for or against the Owner, will be by a majority vote of the hearing board members.

2. Schedule of Fines and Fees.

A. Unless otherwise specified in governing documents, the following fines/fees are suggested for violation of the provisions of governing directives, including Covenants, ByLaws, and Architectural Guidelines:

First violation	Warning letter
Second violation	\$100.00
Third violation	\$150.00
Fourth violation	\$200.00
Subsequent violation	Determined by the Board of Directors
Continuing violation	Days 1-10 \$75.00 per day
	Days 11-20 \$150.00 per day
	Days 21+ \$300.00 per day

The Association reserves the right to levy a fine for first violations that involve health and safety issues and any other violations where a warning may not be deemed suitable by the hearing board. The hearing board may also levy fines in excess of this schedule, if deemed necessary to promote compliance. The hearing board has discretion to determine whether a violation is a first or subsequent violation. The hearing board has the discretion to waive fines if circumstances warrant. The hearing board may condition a waiver upon the violator achieving compliance.

B. All fines will be considered an Assessment, due and payable upon the hearing board's notice of decision, and in accordance with the Declaration of Covenants, Conditions, and Easements for Eagle Peak Ranch West, Fremont County, Colorado; Section 6. "Enforcement of Assessments".

3. Legal Action. The Association, at any time, may pursue legal action against an Owner to enforce the provisions of the governing documents without first following the preceding notice and hearing procedures, if the Board of Directors determine such legal action is in the best interest of the Association.

4. Failure to Enforce. The Association's failure to enforce the governing documents does not waive the right to enforce subsequent violations.

This Covenant and Rule Enforcement Policy was adopted by the Board of Directors on this 17 day of AUG 2025.

EAGLE PEAK RANCH WEST PROPERTY
OWNERS ASSOCIATION

By: _____

Richard R Gerring
President