Temecula Crowne Hill Community Association

NOTICE OF PROPOSED POLICY CHANGE 28-DAY MEMBER COMMENT PERIOD

Temecula Crowne Hill Community Association

SUBJECT: Proposed Adoption of New Enforcement and Fine Policy

DATE OF NOTICE: October 28, 2025 **MEMBER COMMENT PERIOD:** October 28, 2025 through November 25, 2025 **PROPOSED ADOPTION DATE:** November 25, 2025

Dear Members of the Temecula Crowne Hill Community Association,

In accordance with California law concerning common interest developments (Davis-Stirling Act), the Board of Directors of the Temecula Crowne Hill Community Association (the "Association") has proposed the adoption of a new **Enforcement and Fine Policy**. This notice serves to inform you that a copy of this proposed policy has been distributed to the Members at least 28 days prior to the Board meeting scheduled for its adoption. The Board is soliciting written comments from all Members during this period.

Summary of Cause and Effect of the Proposed Policy

CAUSE: The Need for Formalized, Consistent, and Effective Enforcement

The proposed policy establishes a comprehensive framework for imposing sanctions for violations of the Association's Governing Documents, which include the Declaration of Covenants, Conditions, Restrictions, Bylaws, Rules and Regulations, and Architectural Guidelines. This policy, upon adoption, shall supersede any other enforcement and/or fine rules or regulations of the Association.

The Board has the authority under the Governing Documents and Civil Code to establish and impose fines for infractions. A formal process is required to ensure that all enforcement actions are applied consistently, respect due process, and clearly outline Member responsibility. Furthermore, the policy addresses violations of external law and those acts declared a nuisance.

EFFECT: Defined Enforcement Procedures and Disciplinary Actions

The adoption of this policy will have the following effects on Members and Association operations:

1. Defined Violation and Hearing Procedures:

- **Notice and Opportunity to Cure:** The Board may provide a Member with written notice prior to initiating discipline to give a timeframe to cure or correct the violation.
- **Hearing Rights:** If discipline is considered, the Board shall notify the responsible Member in writing (Hearing Notice) at least ten (10) days before the meeting, stating the date, time, place, and nature of the alleged violation. The Member has the right to attend the hearing, address the Board, or provide a written explanation.
- **Rights Revocation:** For violations where membership rights or privileges may be revoked, the hearing shall be conducted no sooner than thirty (30) days after the first violation notice is sent.
- **Perpetual or Persistent Violations:** A process is established for repeat offenders (more than once within a twelve-month period).

2. Imposition of Fines and Disciplinary Actions:

- **Board Authority:** The Board may impose disciplinary action if it determines that a Member or a Non-Member Party (family members, tenants, guests) has violated the Governing Documents.
- **Fines:** The Board may levy fines based on the "Schedule of Fines".
    - For violations resulting in an **adverse health or safety impact** on Common Area or another Member's property ("Health/Safety Violation"), the fine amount will be up to a maximum amount to be determined by the Board.
    - For **non-Health/Safety Violations**, the Board may levy a fine of up to **$100 per violation**.
- **Suspension of Rights:** The Board has the power to suspend membership rights, privileges, and easements, including the use of recreational facilities, for default in assessment payments. Suspension for any noncontinuing infraction of the governing documents is limited to a period not exceeding thirty (30) days.
- **Effective Date:** No action against an Owner arising from an alleged violation may take effect sooner than five (5) days after the hearing.

3. Dispute Resolution Options:

- **Internal Dispute Resolution (IDR):** Either the Association or a Member may request to meet and confer to resolve a dispute at any time. The Association may not refuse a Member's request for IDR.
- **Alternative Dispute Resolution (ADR):** Prior to filing a lawsuit against a Member for compliance (subject to exceptions under Civil Code section 5930), the Association shall request the Member participates in ADR. If accepted, ADR must be completed within ninety (90) days unless extended in writing.

4. Additional Enforcement Measures:

- The Board may levy a **reimbursement assessment** to recover any costs associated with a violation, separate from any fine.
- The imposition of fines and suspension of use rights are in addition to the requirement that Members correct, repair, or replace noncomplying conditions at the Member's cost.

- The Association reserves the right to avail itself of other legal remedies, including court action, mediation, or entering a Lot/Condominium to correct a violation in cases of failure to maintain or bona fide emergency.

Opportunity for Member Comment

Members are encouraged to review the proposed Enforcement and Fine Policy in its entirety. The Board invites written comments regarding the proposed policy during the 28-day comment period outlined above.

Please submit all written comments regarding the proposed policy to:

Avalon Management at 43529 Ridge Park Drive, Temecula, CA 92590 or via Email at Crowne@avalonweb.com.

All comments received will be considered by the Board of Directors prior to the proposed adoption date. You may also attend the Board of Directors' open meeting scheduled on Tuesday, January 28, 2025 at 7:00 p.m. The meeting will be held at the offices of Avalon Management at

43529 Ridge Park Drive, Temecula, CA 92590

and virtually:
https://us06web.zoom.us/j/81207792275?pwd=0jSRdzInfaNBEOnQHzIQs9bKqagilk.1.

Thank you for your consideration of the attached proposal. The Board looks forward to considering your comments.

Sincerely,

Board of Directors

TEMECULA CROWNE HILL COMMUNITY ASSOCIATION

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ENFORCEMENT AND FINE POLICY,

This document sets forth Temecula Crowne Hill Community Association's (the "Association") policy for imposing sanctions for violations of the Association's Governing Documents which includes, but is not limited to, the Association's Declaration of Covenants, Conditions, Restrictions and Reservation of Easements, Bylaws, Rules and Regulations, Architectural Guidelines, ADU/JADU Policy, Collection Policy, and Election Rules (collectively, the "Governing Documents"). This policy shall be effective on the date of adoption, shall supersede any other enforcement and/or fine rules or regulations of the Association, and shall remain in effect until modified by the Board.

1. Authority of the Association's Board of Directors. The Board of Directors, pursuant to the Governing Documents and Civil Code, has the power to establish and impose fines for the infraction of any provision of the Governing Documents in accordance with the "Schedule of Fines" set forth below. The fines shall be a reasonable amount as the Board shall determine on a case-by-case basis but not to exceed the limits imposed in the Schedule of Fines. The Board shall have the power to suspend membership rights, privileges, and easements of any Owner, including the right to the use of recreational facilities during any period in which such Member shall be in default in the payment of any Assessment. The Board shall also have the power to suspend membership rights, privileges, and easements of any Owner for a period not to exceed thirty (30) days for any noncontinuing infraction of the Association's governing documents as more thoroughly described in the Bylaws.

2. Member Responsibility. Each Owner is a Member of the Association and is responsible for complying with the Association's Governing Documents. Each Member is also responsible for the compliance of their family members, tenants, invitees, guests, and household members (collectively referred to herein as "Non-Member Party"). Members shall give their tenants, if any, copies of the Governing Documents, including the Rules and any amendments as they are adopted. In the case of a violation by a Non-Member Party, the Association shall notify the responsible Member, and any disciplinary action for non-compliance will be imposed against that Member.

3. Violation of Law/Nuisance. Any violation of state, municipal or local law by a Member or Non-Member Party is a violation of the Governing Documents and subject to all enforcement procedures set forth herein. Further every act or omission whereby a Governing Document provision is violated is declared a nuisance subject to the enforcement procedures set forth herein.

4. Written Complaint. Any member, officer, or member of the Board may submit a written complaint of charges which describes the acts or omissions with which an Owner should be charged and a reference to the specific provisions of the Governing Documents.

5. Notice of Violation. The Board may provide a Member, who has violated or who is responsible for a violation of the Governing Documents, with written notice prior to initiating discipline against the Member. The purpose of a violation notice is to give the Member a timeframe in which to cure or correct the violation. Whether to send a violation notice to cure or correct prior to a hearing notice shall be within the sole discretion of the Board with the

exception of a violation notice which will precede any hearing to suspend or condition any membership right or privileges. Such a violation notice related to possible suspension of rights or privileges must be sent with a statement that complies with the example provided under Article XII, Section 12.2 of the Association's Bylaws. If the Member fails to cure or correct the violation within the time required by the Board, or if the Board determines that providing an opportunity to cure or correct is not appropriate under the circumstances as outlined in Section 7 below, the Board shall notify the Member of the meeting at which the Board will consider its disciplinary options.

6. Hearing Notice. At least ten (10) days before the meeting at which the Board will consider discipline of the responsible Member, the Board shall notify such Member in writing (the "Hearing Notice") by personal delivery or first-class mail, or email if the Member has previously provided notice to the Association and opted to receive email notifications pursuant to Civil Code section 4041. The Hearing Notice shall state the date, time and place of the hearing, the nature of the alleged violation for which discipline may be imposed, and a statement that the Member has a right to attend the Board meeting and may address the Board at the Board meeting or provide a written explanation to the Board regarding the alleged violation. For violations where membership rights or privileges shall be revoked, the Board shall conduct the hearing no sooner than thirty (30) days after the first violation notice is sent to the Owner.

7. Perpetual or Persistent Violation. For the purposes of this policy, a "perpetual or persistent violation" is defined as a violation in which a Member is a repeat offender of the same violation more than once within a twelve-month period.

8. Curing the Violation. Prior to the disciplinary hearing, the Member shall have the right to cure or correct the violation and provide evidence that the violation is cured or corrected at the disciplinary hearing or prior to the hearing in writing. If the violation is a Perpetual or Persistent violation, proof of the violation cure or correction must include evidence that the violation has stopped for a period of twelve (12) months. If the violation nis cured prior to the disciplinary hearing, then the Member will not be disciplined.

If the violation cannot be cured or corrected before the disciplinary hearing because of the nature of the violation, the Member shall: 1) provide evidence to support that the violation could not be cured or corrected during that time frame; and 2) provide evidence, such as a copy of a signed contract with a vendor, showing that the process to cure or correct the violation is in place. If the Member provides evidence or documentation the Board determines is sufficient to meet the two requirements above, then the Member will not be disciplined.

9. Hearing. The hearing shall be conducted by the Board. The Member shall be entitled to attend the hearing and address the Board. Alternatively, the Member may submit a written explanation to the Board prior to the hearing for the Board to consider. The hearing shall be in an executive session meeting.

10. Hearing Agreement. If, at the hearing, the Member and the Board agree on the process to cure or correct the violation, then the parties shall enter into a written resolution explaining the agreement. This resolution shall not violate the Governing Documents or law and will be enforceable in a court of law.

11. Imposing Disciplinary Action. The Board may impose one or more disciplinary actions if it determines at the hearing that the Member or a Non-Member Party for whom the Member is responsible has violated the Governing Documents. Disciplinary action may include but is not limited to the actions within the authority of the Board as set forth in Section 1 above, any other discipline authorized in the Governing Documents, or any other discipline allowed under the law.

12. Schedule of Fines (Civil Code Section 5850). The Board of Directors has the authority to determine the fine amounts. For violations that *may* result in an adverse health or safety impact ("Health/Safety Violation") on the Common Area or another Member's property, the Board may levy a fine of up to $_____. If the Board makes this determination that there is a Health/Safety Violation, then it shall provide a written finding in an Open Board meeting. Separate and apart from a fine, the Board may levy a reimbursement assessment to recover any costs associated with a given violation. For non-Health/Safety Violations, the Board may levy a fine of up to $100 per violation.

13. Notice of Board's Decision; Effective Date of Disciplinary Action. The Board shall notify the Member of its disciplinary decision in writing within fourteen (14) days after the hearing. If any disciplinary action is imposed, the notice shall describe the disciplinary action and its effective date. If the Member disagrees with the Board's disciplinary decision, then the Member has the right to request an Internal Dispute Resolution ("IDR") meeting as outlined below and in the Civil Code. No action against an Owner arising from an alleged violation may take effect sooner than five (5) days after the hearing.

14. Internal Dispute Resolution ("IDR"). Either the Association or a Member may request that the other party meet and confer to resolve a dispute. This action may be taken at any time, and it is not necessary to perform any of the steps detailed above prior to requesting IDR. Any request for IDR shall be in writing. Members may refuse a request by the Association to meet and confer, however, the Association may not refuse such a request.

The Board shall designate a director to meet and confer, and the parties shall meet promptly at a mutually convenient time to explain their positions to each other and confer in good faith in an effort to resolve the dispute. Either party may be assisted by an attorney or another person at their own cost when conferring. The resolution of the dispute shall be memorialized in writing and signed by each party. The director participating in the meet and confer shall sign the agreement on behalf of the Association. This written agreement binds the parties and is judicially enforceable unless the agreement conflicts with the law or is inconsistent with the authority granted by the Board to the board designee and is not ratified by the Board. There shall be no charge to the Member for participating in this process.

15. Suspension of Common Area Amenities and Membership Rights. In addition to, or in conjunction with fines, the Association has the option to suspend the Member's right to use the Common Area Amenities until the fines are paid in full, the violation is corrected to the Board's satisfaction, or an appeal is granted. Any suspension of Membership rights or right to use any Association Property facilities (i) shall be made only by the Board, after Notice and Hearing, and (ii) shall not limit or preclude pedestrian or vehicular access to such Owner's Lot or Condominium. A decision to suspend membership rights or privileges requires an affirmative vote of a majority of the Board or a majority of the Members of any committee of the Board

constituted to conduct such hearings. Suspension of membership privileges does not relieve an Owner's obligation to pay all assessments levied by the Association or to otherwise comply with the Governing Documents.

16. Penalties in Addition to Corrective Measures. The imposition of fines and suspension of use rights are in addition to the requirement that Members comply with the Governing Documents as required by the Board of Directors. Compliance may include, but is not limited to, correcting, repairing or replacing noncomplying conditions, all at the Member's cost.

17. Referral to Legal Counsel. If the violation continues, is repeated, or is a serious violation as determined by the Board in its sole discretion, the Board may refer the matter to the Association's legal counsel. If required by law, alternative dispute resolution will be offered. The Member may be liable for the Association's legal costs and fees.

18. Alternative Dispute Resolution ("ADR"). Prior to filing a lawsuit against a Member to obtain compliance with the Governing Documents, the Association shall request that the Member participates in ADR, subject to the exceptions identified under Civil Code section 5930. This action may be taken at any time, the Association is not required to perform any of the steps detailed above prior to requesting ADR. The Member must respond within thirty (30) days of receipt of the request, or it will be deemed rejected. If the ADR Request is accepted, the parties shall complete the ADR within ninety (90) days after the acceptance unless an extension is stipulated in writing and signed by both parties. Each party shall pay one-half of the costs of the ADR. If a lawsuit becomes necessary, the Court may consider whether a party has refused to participate in ADR when awarding attorneys' fees and costs. For additional details, please see the summary of ADR Procedures provided in the Association's annual policy statement, and California Civil Code Sections 5925 – 5965.

19. Collection of Fines. All sums payable hereunder by a Member shall be subject to collection as permitted by the Governing Documents and under law, including but not limited to a lawsuit to compel payment of delinquent amounts and to recover attorneys' fees and costs of enforcement.

17. Other Remedies. The Association reserves the right to avail itself of any other remedy permitted by law and the Governing Documents to enforce the provisions of the Governing Documents. These remedies include, but are not limited to, requesting that the matter be submitted to a form of alternative dispute resolution such as mediation or arbitration, entering a Lot or Condominium to correct a violation for the Member's failure to maintain their property and improvements, requiring or taking immediate corrective action with respect to property in cases of a bona fide emergency, seeking assistance from local law enforcement, city code compliance or similar public agencies as applicable or bringing an action in court for injunctive, declaratory, or other monetary relief. Such remedies may be taken in addition to or in lieu of any action already taken, and commencement of one remedy shall not prevent the Association from electing at a later date to pursue another remedy.

Adoption

Prior to its adoption, a copy of this policy was distributed to Association's Members at least 28 days prior to a duly noticed meeting of the Board held on the date below. A quorum of directors was present for a meeting at which time a majority approved adoption of the policy.

Date: _____

_____
Secretary