



OCEAN PINES ASSOCIATION, INC. PROPOSED MOTION

DATE: March 1, 2019

TOPIC: Referendum to permit the Association to fine homeowners in violation of the Declaration of Restrictions

FOR INCLUSION IN MEETING HELD ON June 1, 2019

SUBMITTED BY: Frank Daly **SECOND BY:** _____

MOTION: To initiate a two-step process to place a referendum question to all homeowners to permit the Ocean Pines Association to levy fines for violations of the Declaration of Restrictions.

Phase I of this motion will authorize the Board and General Manager to work with legal counsel to develop the referendum question that incorporates the violations that will be subject to fines, the violation correction period, the fine schedule, the collection of legal fees, due process and appeal requirements and to move to referendum upon the approval with a positive vote in Phase II.

Phase II of the process will be the formal approval of the referendum question at the July Board meeting.

PURPOSE AND EFFECT: To enhance the ability of the Association to improve and maintain home owner value and safety by levying fines for violations of the Declaration of Restrictions.

BACKGROUND: Currently the Association is limited in its ability to enforce the Declaration of Restrictions. The existing process is time consuming, expensive and ineffective. Documented violations can extend for long periods of time. Legal fees incurred to enforce the Declaration of Restrictions cannot be recouped under the current DR's and can run into thousands of dollars. The ability to fine for violations will result in faster, more effective enforcement of the Declarations. See the attached recommendation from the Architectural Review Committee.

MOTION OUTCOME: PASSED: _____ FAILED: _____

DIRECTORS IN FAVOR: **DIRECTORS OPPOSED:** **DIRECTORS ABSTAINED:**