

Granite Falls Homeowners Association, Inc
Enforcement Policy

- Subject:** Adoption of a policy regarding enforcement of rules and regulations.
- Purpose:** To provide notice of the Association's adoption of uniform and systematic procedures for rules and regulations enforcement in compliance with the Association's Article, Bylaws, Declaration, Policies, and the Colorado Common Interest Ownership Act (CCIOA or the Act; enacted 1991) codified in title 38, article 33.3, of Colorado Revised Statutes (C.R.S. §§ 38-33.3-101 et seq.).
- Authority:** Articles, Bylaws, Declaration, and Policies of the Association and Colorado law.
- Effective Date:** September 28, 2026
- Resolution:** The Association hereby gives notice of its adoption of this enforcement policy providing the procedures for enforcement of the rules and regulations of the Association.

Context: The governing documents of the Associations help to maintain the value of the subdivision so that all owners benefit from the common interest ownership. Each lot owner in the subdivision agreed to the terms of the Association's governing documents, and the provisions in the Association's governing documents are legally binding on all parties having any right, title, or interest in the subdivision.

One of the responsibilities of the Board is to implement the rules in our Association's governing documents. It is difficult to ask neighbors to comply, but all members of the Association expect the Board to do exactly that to protect the value and desirability of our common interest property. All homeowners are asked to periodically review these governing documents, and to please honor these governing documents for the benefit of all members of the Association. The Association's governing documents are available on our website.

The Association's Declaration provides that the Association's general purpose is to be and constitute the entity to further the mutual interests of the Declarant and the Owners pursuant to the Association's governing documents and Colorado law, including without limitation, enforcement of the Declaration. The Association shall have and may exercise all of the powers and duties of a Colorado corporation formed under the Colorado Revised Nonprofit Corporation Act. The Act provides that associations shall, to promote responsible governance, adopt policies, procedures, and rules and regulations concerning enforcement of covenants and rules, including notice and hearing procedures and the schedule of fines, and the collection of unpaid assessments. This enforcement policy is in

compliance with these responsibilities.

- 1) **Associated Policy:** This Enforcement Policy is supplemented by the Association's Collection Policy regarding collection of any imposed fines or charges on a unit owner in association with the enforcement of the rules and regulations in the Association's governing documents.
- 2) **Definitions:** Terms used herein shall not be construed as inconsistent or any less restrictive than the meaning established in the Articles, Bylaws, Declaration, Collection Policy, or the Act. Terms used in this enforcement policy shall apply as defined in the Articles, Bylaws, Declaration, Policies, or the Act, in that order.
- 3) **Power**
 - a) The Board has the authority to hear and make decisions regarding alleged violations, written complaints filed with the Board, and impose fines or other sanctions pursuant to this policy.
 - b) The Board may determine enforcement action on a case-by-case basis in the exercise of its reasonable business judgment and consistent with the law, and take other actions as it may deem necessary and appropriate to assure compliance with the Association's governing documents.
- 4) **Other Enforcement Remedies**
 - a) The Association is not required to follow these enforcement procedures before seeking remedies that do not include the levying of fines or bringing legal action against an owner.
 - b) The Association may seek assistance with towing and from other enforcement authorities, such as police, fire, or animal control, as it deems appropriate.
- 5) **Responsibility for Actions of Tenant or Guest:** Owners are responsible for the actions of their tenants and guests. If an owner's tenant or guest violates the Association's governing documents and a fine is imposed, the fine shall be assessed against that owner.
- 6) **Complaints**
 - a) Any owner may send the Association a written complaint by email or first-class mail with as much information as is known about the alleged violation of the Association's governing documents.
 - b) Complaints may also be initiated by the Association's manager or any member of the Board.
 - c) The Association has no obligation to consider oral or anonymous complaints.
 - d) The Board, in acting upon a complaint by an owner or the Association's manager or their own discovery of an alleged violation of the Association's governing documents, may initiate these enforcement procedures upon a reasonable determination that a violation has been committed.
 - e) The Association is not obligated to disclose the identity of the complaining party unless otherwise required by law.

7) Notice of Violation

- a) The Association will send a written notice of any violation of any provisions of the Association's governing documents to the owner in accordance with this policy.
- b) Notice Delivery
 - i) Certified mail, return receipt requested.
 - (1) In addition, the Association may provide notice by telephone, text, email, or first-class mail.
 - ii) And, if the violations threatens public safety or health, two of the following based on the information the Association has on file as provided by the owner.
 - (1) Telephone,
 - (a) If the association attempts to contact the unit owner or designated contact by telephone but is unable to contact the unit owner or designated contact, the association shall, if possible, leave a voice message for the unit owner or designated contact.
 - (2) Text (including a photo or scan of the notice),
 - (3) Email (including a photo or scan of the notice), or
 - (4) First-class mail.
- c) Notices from the Association will be sent in English; provided, however, that the owner may send written notice to the Association with an alternate language preference.
 - i) The Association will attempt to provide an accurate translation of the original English version, but due to nuances in translating to a foreign language, slight differences may exist.
- d) The notice will describe:
 - i) The nature of the violation;
 - ii) Action or actions that may be taken by the Association in response to the alleged violation, including:
 - (1) The interval upon which fines may be imposed if the violation is continuing in nature and
 - (2) The time after which the Association may commence legal action to obtain compliance;
 - iii) The action or actions required to cure the violation;
 - iv) The right to request a hearing (see the Association's Collection Policy under the section on Impartial Fact Finding) to contest the violation or possible fine; and
 - v) If a hearing is requested, a date by which such request must be received and a timeline for the hearing process.
- e) Receipt of Notice: For the purpose of this policy to comply with Colorado law, a notice is deemed received when sent by and according to the following timelines:
 - i) Email or text: upon successful transmission of electronic mail or text;
 - ii) Certified Mail/First-Class Mail: 3 business days after deposit for delivery.

- f) An owner may send written notice to the Association identifying another person to serve as a designated contact for the owner for notices and correspondence.
 - i) The Association will send the same written communications to the designated contact that it sends to the owner.
 - ii) If the owner wishes to change or cease the designated contact, the owner must send the Association written notice.
 - g) The notice of violation may also serve as a notice of delinquency as defined in the Association's Collection Policy.
- 8) Violations That Threaten Public Safety or Health**
- a) Health and safety violations are those violations that have the potential to affect a person's mental or physical condition and circumstances likely to cause danger, risk, or injury to people, pets, or property.
 - i) These violations may include, but are not limited to: noise violations; fire hazards; hoarding; infestations of insects, mice, rats, or other vermin; short-term rental violations; structural, electrical, or plumbing alterations; harassment; and violations of local, state, or federal law intended to protect public health and safety.
 - b) If the Association reasonably determines that a violation threatens public safety or health, the Association will send the owner a written notice of violation informing the owner that the owner has seventy-two (72) hours to cure the violation, or the Association may impose a fine and/or commence legal action to enforce the governing documents and cure the violation.
 - c) After seventy-two (72) hours from receipt of notice, the Association will inspect the unit and determine whether the violation has been cured.
 - d) If the owner has not cured the violation, the Association may impose fines on the owner every other day in accordance with the fine schedule below and/or commence legal action to enforce the governing documents and cure the violation.
- 9) Violations That Do Not Threaten Public Safety or Health**
- a) If the Association reasonably determines that a violation occurred, other than a violation that threatens the public safety or health, the Association will send the owner a notice of violation informing the owner that the owner has thirty (30) days to cure the violation, or the Association, after conducting an inspection and determining that the violation has not been cured, may impose a fine as described in the notice of violation.
 - b) The Association shall grant a unit owner two (2) consecutive thirty (30)-day periods to cure a violation before the Association may take legal action against the unit owner for the violation.
 - i) The Association shall not pursue foreclosure against the unit owner based on fines and charges owed.
 - c) If the unit owner cures the violation within the period to cure afforded the unit owner, the unit owner may notify the Association of the cure and, if the unit owner sends with the notice visual evidence that the violation has

been cured, the violation is deemed cured on the date that the unit owner sends the notice.

- d) If the unit owner's notice does not include visual evidence that the violation has been cured, the Association shall inspect the unit as soon as practicable to determine if the violation has been cured.
- e) If the Association does not receive notice from the unit owner that the violation has been cured, the Association shall inspect the unit within seven (7) days after the expiration of the thirty (30)-day cure period to determine if the violation has been cured.
 - i) If, after the inspection and whether or not the Association received notice from the unit owner that the violation was cured, the association determines that the violation has not been cured:
 - (1) A second thirty (30)-day period to cure commences if only one thirty (30)-day period to cure has elapsed; or
 - (2) The association may take legal action if two (2) thirty (30)-day periods to cure have elapsed.
- f) If the visual evidence provided is insufficient for the Association to determine if a violation has been cured, at the Association's sole discretion, the Association can provide notice to the owner that it intends to inspect the unit to verify the violation has been cured.

10) Additional Required Notices: If an owner cures a violation, the Association will notify the owner:

- a) Of any outstanding fine and charge balance owed to the Association, and
- b) That the owner will not be further fined with regard to the violation.

11) Monthly Statements: On a monthly basis, the Association will send to each owner who has any outstanding balance an itemized list of all assessments that the owner owes to the Association (i.e., an account ledger).

- a) The monthly statement will be sent by first-class mail to the owner's registered address, and if the Association has a relevant email address, by email.
- b) The Association shall send the itemized list to the unit owner in English or in any language for which the unit owner has indicated a preference for correspondence and to any designated contact for the unit owner.
- c) If the account has been referred to a collection agency or to any attorney, the statement will also specify that the balance may not include all attorney's fees and costs that have been incurred as of the statement date but not yet invoiced to the Association and posted to the account. See the Association's Collection Policy for more details on collection charges and processes.
- d) Monthly statements will be issued as soon as practicable on or after the first business day of each month.

12) Impartial Fact Finding (Informal Hearing)

- a) This policy includes a fair and impartial fact-finding process concerning whether the alleged violation actually occurred and whether the unit

owner is the one who should be held responsible for the violation. See the Association's Collection Policy for a description of the impartial fact finding process.

13) Fine Schedule

- a) Fines for Continuing Violations:
 - i) For any violation that does not threaten public safety or health, the Association may impose fines on a weekly or monthly basis in the amount of \$50.00 per week or \$200.00 per month up to a maximum of \$500 for any one violation.
 - ii) For any violation that threatens public safety or health, the Association may impose fines every other day in the amount of \$50.00 until the violation is cured.
 - iii) For purposes of this policy, a violation is considered continuing if the violation is uninterrupted by time or, by the nature of the violation, it occurs at such frequency to create a continuous predictable pattern of occurrence. Examples of continuing violations include failure to paint your house, unsightly yard, unauthorized improvements, parking an unauthorized vehicle in the community on a nightly or other regular basis.

14) New Violation: A violation of the same rule or regulation in the Association's governing documents is considered new if the previous violation was cured as documented with evidence in the Association's records and was acknowledged as cured by the Board.

- a) The Board will have acknowledged cure of the violation if the Association has notified the owner of the cure and any outstanding fine and charge balance owed to the Association, and that the owner will not be further fined with regard to the violation.
- b) Notification will be considered to have occurred the day the notice is sent via telephone, text, or email with additional copy placed in the mail.
- c) For example, separate violations will have occurred if a vehicle is parked in violation of the Association's governing documents for a continuing period, is then moved curing the violation, and then returns in violation of the Association's governing documents.

15) Additional Enforcement Rights

- a) Recorded Notice of Violation. The Board may issue and record with the Mesa County Clerk and Recorder a Notice of Violation.
- b) Self-help Remedies. The Association or its duly authorized agent has the authority to abate or remove any structure, thing, or condition that violates the governing documents. All costs of self-help will be assessed against and be a lien on the owner's unit.

16) Failure to Enforce. The Association's failure to enforce the governing documents is not a waiver of the right to enforce for any subsequent violations.

17) Administrative Expenses. Enforcement costs, imposed by the Association or

its managing agent, related to covenant and rule enforcement will be the obligation of the owner and may be posted to the owner's account. Examples include but are not limited to, certified mailings or costs to translate a notice to a language other than English.

- 18) **Effects on Existing Law:** These rules and regulations are in addition to, and not in lieu of, all Federal, State, County, and City laws, ordinances, and rules and regulations applicable within the Association.
- 19) **Severability:** The provisions of these rules and regulations are severable. If any word, phrase, clause, sentence, section provision or part of these rules and regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Board that these rules and regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.
- 20) **Amendments:** These rules and regulations may be reviewed and amended from time to time by the Board.
- 21) **Effective Date:** These rules and regulations shall become effective on the date of the Board's adoption of these rules and regulations.

President's Certification

The undersigned, being the President of Granite Falls Homeowners Association, Inc., a Colorado nonprofit corporation, certifies the foregoing Collection Policy was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on September 28, 2026, and in witness thereof, the undersigned has subscribed their name.

Granite Falls Homeowners Association, Inc.

TODD SANDERS

 Digitally signed by TODD SANDERS
Date: 2026.09.29 07:54:04 -06'00'

Todd A. Sanders, President

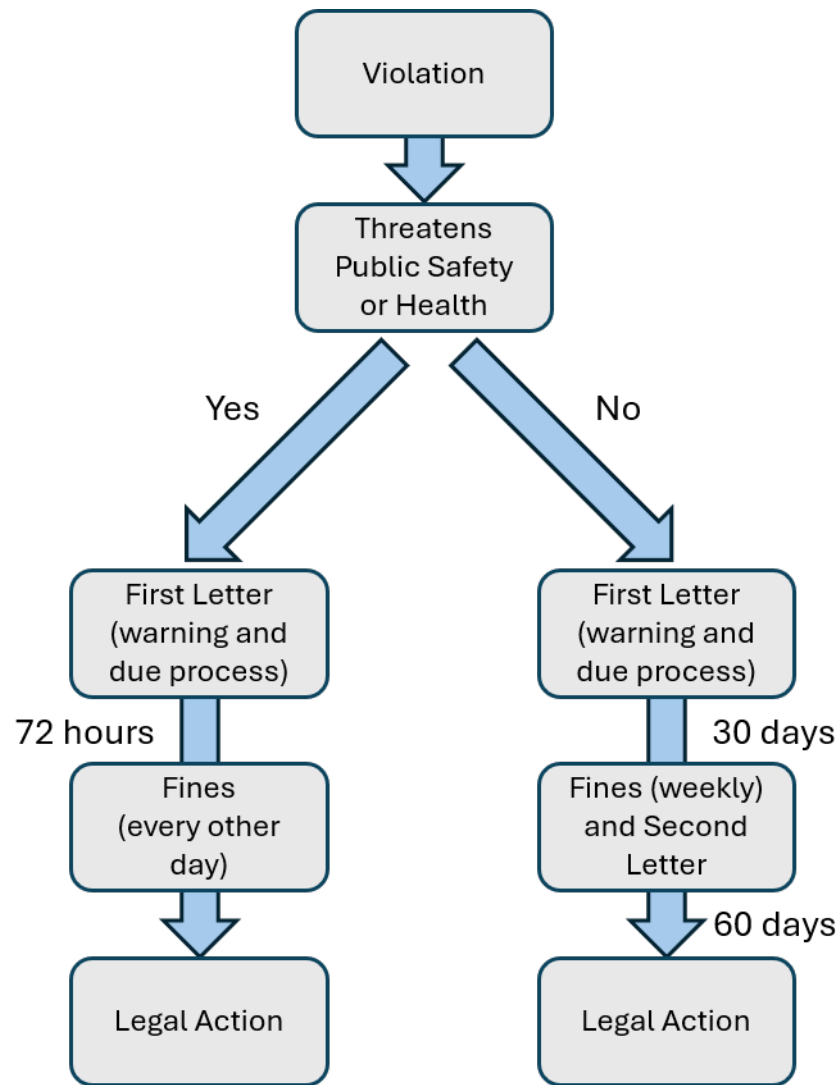


Figure 1. Flow chart diagram of violation enforcement process.