

2500 LAKEVIEW ASSOCIATION ENFORCEMENT POLICY

As permitted by Sections 18.4(h) and 18.4(l) of the Illinois Condominium Property Act, the Board of Directors has adopted the following procedure regarding assessment of fines to unit owners. If an owner, management or an employee observes and reports conduct which violates the Declaration, Bylaws or Rules, the Board will use the following procedure:

1. An incident report must be completed and delivered to management or the Board. It must be specific, signed by the complainant, include details of the violation and must state that the complainant will provide testimony at the hearing or other proceedings which may be necessary.
2. At the Board's direction, management will send a warning letter to the unit owner who has violated the Declaration or Rules. The letter will specify the provision which was allegedly violated, and a copy of the incident report will be enclosed. In the event of a Class I violation, the Board may eliminate this warning letter and proceed to the third step.
3. If Management receives a second incident report or the Board determines that the nature of the alleged act was a Class I violation, a notice of the violation which includes a notice of hearing may be sent to the unit owner or the report may be sent directly to the Association's attorney. Following the date of the hearing, the Board may assess a fine to the unit owner for the violation and may assess legal fees incurred by the Association as a result of the violation.

At the hearing, the Board will hear and consider arguments, evidence or statements regarding the alleged violation first from the person(s) signing the incident report and then from the alleged violator together with any witnesses testifying on his or her behalf. Following the hearing, the Board will consider the evidence presented. At an open meeting of the Board of Directors, the Board may assess a fine, legal fees and any repair costs or other damages. The assessment must be paid within thirty days or the Board will begin collection procedures.

NOTE: A unit owner is responsible for his or her conduct and that of family, tenants, employees or any person permitted to enter a unit or Association property.

SCHEDULE OF FINES

"Class One Violations, including but not limited to vandalism, unapproved construction, and actions which threaten the safety or welfare of residents, employees or the general public: \$250-\$1,000, or \$250-\$1,000 per day for a violation of a continuing nature, plus legal and repair costs and other costs of remediation.

“Class Two Violations, including but not limited to noise, misuse of Association property, littering the common area, and throwing items from windows: \$100-\$500, or \$100-\$500 per day for a violation of a continuing nature, plus legal and repair costs and other costs of remediation.

“Class Three Violations, including but not limited to parking violations, unapproved exterior decorations and violations of the hallway rules: \$0-\$250, or \$0-\$250 per day for a violation of a continuing nature, plus legal and repair costs and other costs of remediation.”

THE HEARING PROCEDURE

A notice is sent to the owner and a hearing is conducted in front of a quorum of the Board of Directors. The Board will hear and consider arguments, evidence or statements regarding the alleged violation first from the complainant and other persons who have first hand knowledge of the violation and then from the alleged violator and his or her witnesses. The Board will allow rebuttal testimony. Following the hearing at an open portion of a meeting, the Board of Directors will vote on its proposed finding. If a member of the Board has presented evidence in connection with the complaint, he or she will abstain from voting. A letter will be issued to the owner which contains the Board’s decision. Fines, attorney’s fees or other costs which may be assessed to the owner must be paid within thirty (30) days following notice of the assessment.