



# Cypress Island

## Homeowners Association

7779 Line Drive  
Wilmington, NC 28412  
Phone and Fax 910-792-6012

### Rule Enforcement Policy:

The rule enforcement policy is implemented by the Association's Management Agent at the direction of the Board of Directors. The policy is subject to amendment at the discretion of the Board of Directors and any and all decisions regarding the implementation and/or enforcement of this policy will be made by the Board of Directors and its decision will be final.

Any and all penalties undertaken by the Association for a violation(s) shall be taken against the homeowner. The Association has no legal authorization to seek recourse for a violation(s) against a renter, a tenant, a guest or the rental agent of the homeowner.

All violations must be reported to the Managing Agent and every effort will be made by the managing agent to obtain compliance with these policies without the use of fines or legal action.

Once a violation is reported, the managing agent will call the owners if said violation involves three owners or less. If they cannot be reached by phone, a post card will be mailed dealing with the violation. If four or more owners are involved with a violation, a post card will be mailed. This initial contact will be to state the violation, explain the rule and ask that it be corrected.

If the violation is not corrected in a reasonable time, or it is repeated, then an official letter will be mailed. This letter will state the violation, date it occurred, the rule that was violated, the time frame in which to correct the violation and what consequences could occur if the owner does not correct the violation.

If the violation is not corrected or occurs again, a fine letter will be sent to the owner. This fine will start at \$20, with the next level being \$50, then \$100. If this violation continues the fine can be set at \$100 per day once five days have passed after the first \$100 fine was issued.

Any owner may appeal the fine to a special hearing board. This board will be made up of three owners of our community. No current board member will be allowed to sit upon this board. This board will hear the owner's appeal and will be allowed to call in any person to obtain information. This appeal board will be held every two months if fines have been issued. The owner will be sent notice of the board hearing and if the owner does not come or send an attorney to present their appeal, the fine will be upheld. Once the board hears all the speakers concerning an appeal, they will go into executive session to make their decision. The owner will be sent a letter five days after the hearing stating their decision.

An owner may have a final appeal, if requested, before the full board if they disagree with the findings of the Appeal Board.

However, there is one exception to the warning process. This is dealing with the pet fine of \$50 if an owner fails to clean up after his pet. The fine may be appealed to the Appeal Board.

If any owner has not received a fine dealing with a violation one year from the date of the violation, it will be purged. Excluded from this procedure is any violation related to the Architectural/Landscaping Rules and Regulations. Any violation related to the Architectural Rules and Regulations will be kept and only start over once the property changes owners. This procedure was adopted September 2, 2010 and becomes effective January 1, 2011.



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### Cypress Island Facilities Usage Policy

The facilities are for the enjoyment of the owners or their tenants. Any owner is required to furnish a 12 month lease agreement to the managing agent if their unit is rented. If the property is rented and no lease is furnished to the property manager agent, the amenities tags will be void until such time the lease is received. If no lease agreement is on file, the tenants will not be allowed to use the amenities of Cypress Island. If the owner falls behind in their monthly fees or has a fine, then anyone living or visiting in that unit will be denied usage of the amenities until the fees or fines have been paid. This will also apply to any town homes if their THA fees are unpaid.

If an owner who does not live at Cypress Island, allows a family member to use their home, they are to notify the management agent one week in advance with the following information.

Name of Person using home:  
Number of People in the Party:  
Relation to the Person:  
Dates they will be staying:

If this is not done then the amenities will be closed to whoever is staying at that address.

If this rule is violated once, a warning letter will be sent. If it is violated a second time, the amenities will be closed for usage for the balance of the year except when the owner is present.

If it is ever discovered that a unit has been rented for less than a year's period of time, a \$100 per day usage fee will be charged for the amenities for the period of time the unit was occupied.

Adopted on September 2, 2010  
By HOA Board