



the tanoan community east association, inc.

**VIOLATION OF GOVERNING DOCUMENTS, DESIGN GUIDELINES,  
AND/OR RULES AND REGULATIONS**

To the extent possible, the Association prefers not to have rules that limit everyone's pleasure and use of the facilities because of the misbehavior of a few. Rather we have penalties that are imposed on those who violate the rules. Rules without enforcement are worthless.

In the event of notice in writing from a member, or discovery of an alleged violation by the Board of Directors, Courtesy Patrol, or Management Company, the following shall apply:

**1. *Determination of Violation:***

A determination of whether a violation exists or not shall be made by the Manager, the Management Company, and/or Board member.

**2. *Seeking Cure: First Notice***

If the alleged violation is determined to be an actual violation of Governing Documents and/or Rules and Regulations of The Tanoan Community East Association Inc., the Management Company will notify the owner in writing of the violation and ask that the violation be cured within ten (10) days.

**3. *Non-Compliance: Second and Third Notice***

If the violation continues beyond the time allowed as stated in the 1<sup>st</sup> notice of violation, or if the violation is repeated within the calendar year, the Board may impose reasonable monetary fines (see Schedule of Fines). Such fines will constitute a lien upon the violator's property. Once the balance reaches \$1,000, the Association may collect the monetary fine ("Special Charge") in any manner allowable by law and/or seek injunctive relief. In addition, the Board may levy specific assessments to cover the cost the Association incurs in bringing the unit into compliance with the community-wide standard or other requirements under the Governing Documents.

**4. *Repeated Violations:***

Any owner who commits more than three violations of any one provision of the Governing Documents, Rules and Regulations, or the Design Guidelines of the Association may be subject to additional charges at the discretion of the Board of Directors, regardless of whether the violation has been cured after either the 1<sup>st</sup> or 2<sup>nd</sup> notice.

At any time during stages 1-3, a homeowner may appeal to the Tanoan Community East Association Board of Directors to have the violation reviewed and overturned. If no appeal is made to the board by the implementation of stage 4, then the homeowner will forfeit their rights to an appeal.

**All pet violations (barking dogs, pets off leash, owners not cleaning up pet waste, etc.) should be reported to the City of Albuquerque Animal Welfare Division at 768-1975. All provisions of the Albuquerque Animal Control Ordinance, as amended, will apply in the Tanoan Community East Association.**

**TANOAN COMMUNITY EAST ASSOCIATION INC.**

**SCHEDULE OF FINES**

*The following Schedule of Fines lists some of the more common violations, but residents should be aware that all violations of governing documents, rules and regulations, and design guidelines of the association are subject to fines.*

<b>COVENANT VIOLATION</b>	<b>NOTES</b>	<b>1<sup>st</sup> OFFENSE</b>	<b>2<sup>nd</sup> OFFENSE</b>	<b>3<sup>rd</sup> OFFENSE</b>	<b>THEREAFTER</b>	<b>GOVERNING DOCUMENT REFERENCE</b>
Speeding (over 25 MPH)	Within calendar year	\$50.00	\$75.00	\$100.00	Board Discretion	Subdivision Rules: A III.3.L
Failure to Stop at Stop Sign	Within calendar year	\$50.00	\$75.00	\$100.00	Board Discretion	Subdivision Rules: A III.3.o
Underage Golf Cart Operation	Must be licensed driver Occupancy limited to seating capacity	Warning	\$100.00	\$150.00	Board Discretion	Subdivision Rules: A III.3.m & 3.o
Failure to Maintain Landscape and Exterior of Property		Warning	\$50.00	\$50.00 Plus charge for maintenance	Board Discretion	Master Restrictions (CC&RS): Sec 7.06(e)
Trash Can Visible Before 6:00 p.m. the Day Before Pick-Up or After 12:00 p.m. the Day Following Pick-Up	Currently trash pickup is Monday. Trash can must not be out before 6:00 p.m. Sunday or after 12:00 noon on Tuesday. Must be stored so it is not visible from the street.	\$50.00	\$50.00	\$50.00	Board Discretion	Master Restrictions (CC&RS): Sec 3.03(k)
Campers, RVs, Boats, etc. Parked Onsite Without Permit	Requires a permit that will allow vehicle to be parked for two overnight periods (not consecutive) for loading and unloading.	Warning	\$50.00	\$50.00	Board Discretion	Master Restrictions (CC&RS): Sec 3.03(g)

**Adopted by the Tanoan Community East Association Board of Directors**

**July 12, 2010**