

SCHEDULE OF FINES

FOR VIOLATIONS OF THE DECLARATION, BYLAWS AND PROJECT RULES

The Vista Waikoloa Board has adopted the following schedule of fines for any violation of the Association's project documents.

The Board deems owners to be responsible for payment of any fines imposed with respect to their apartment, or as a result of the actions of the owners' lessees, tenants, family members, guests, agents, or employees. The imposition of any of the following fines will not excuse full compliance with rules set forth in the project documents.

Amount of fines

- **First Notice:** A written notice given or sent to the owner and lessee and/or tenant. The owner has 10 days to comply, except for matters determined by the Board to be due to reasonable cause.
- **Second Notice:** A written notice given or sent to the owner and lessee and/or tenant and a \$100.00 fine assessed against the owner. The owner has 10 days to comply, except for matters determined by the Board to be due to reasonable cause.
- **Third Notice:** A written notice given or sent to the owner and lessee and/or tenant and a \$250.00 fine assessed against the owner. The owner has 10 days to comply, except for matters determined by the Board to be due to reasonable cause.
- **Legal Action:** If the foregoing fines do not resolve the matter and lead to full compliance with the rules set forth in the project documents, then the matter will be sent to the Association's attorney for legal action, which shall include a demand for attorney's fees and costs in bringing the matter into compliance with the rules.
- **Pending an appeal to the Board:** An owner need not pay a fine and no lien shall be imposed on an owner's apartment. All appeals must be submitted to the Managing Agent within 10 days of a fine assessment. Filing a notice of appeal shall not halt the accrual of any ongoing late fees imposed for the offense that is the subject of the appeal.

Miscellaneous

The Board reserves the right to establish a new schedule of fines at any time after notice to owners.

NOTHING CONTAINED IN THE RESOLUTION SHALL BE INTERPRETED TO PREVENT OR DELAY THE BOARD, RESIDENT MANAGEMENT TEAM, OR MANAGING AGENT FROM ENJOINING, ABATING, REMOVING OR REMEDYING ANY VIOLATION OR BREACH WHICH MAY IMPAIR OR IN ANY WAY AFFECT THE VALE OR SAFETY OF THE PROJECT OR THE USE, ENJOYMENT, SAFETY OR HEALTH OF ANY OWNER OR OCCUPANTS.

Approved by the Board of Directors on