

THE LANDINGS HOMEOWNERS ASSOCIATION, INC.
Rules & Regulation for Due Process Procedures for Violations

The "Amendment to Bylaws of The Landings Homeowners Association, Inc." adopted March 25, 2002 and recorded in the Land Records of Anne Arundel County in the Homeowners Depository at Book 24, Page 348, deleted the original Art. X in its entirety and inserted a revised Art. X, which provided for fines in the enforcement of the Association's restrictions, conditions, covenants and rules and regulations.

The amended Art. X authorized the Board of Directors of the Association to enforce the "Association Documents", including the Declaration, Articles of Incorporation and Bylaws, as well as as rules and regulations, and to "take all steps necessary to prevent or discontinue any violations." Art. X also permitted the Board to impose fines of up to \$25 a day, as well as take any other necessary remedies and legal action, including damages and injunctive relief, "after providing such due process as may be required."

The following are the proposed Rules & Regulations outlining the due process procedures to be followed by the Association in considering violations.

1. Alleged violations may either be reported by members or as the result of inspections by the Association's management company. Upon the report of a violation, the Association shall proceed as follows:
 - (a) A written demand to cease and desist from an alleged violation is sent to the owner and/or resident (if a tenant and the tenant is subject to enforcement of the Association Documents) of the unit that is the source of the violation, (hereinafter collectively referred to as the "alleged violator") at the address the Association has on record for the owner/resident, specifying:
 - (i) The alleged violation;
 - (ii) The action required to abate the violation; and
 - (iii) A time period, not less than 10 days, during which the violation may be abated without further sanction, if the violation is a continuing one, or a statement that any further violation of the same rule may result in the imposition of sanction after notice and hearing if the violation is not continuing.
 - (b) Within 12 months of the demand, if the violation continues past the period allowed in the demand for abatement without penalty, or if the same rule is violated subsequently, the Association shall send the alleged violator written notice of a hearing to be held before the Board. The notice shall contain:
 - (i) The nature of the alleged violation;
 - (ii) The time and place of the hearing, which time may be not less than 10 days from the giving of the notice;
 - (iii) An invitation to attend the hearing and produce any statement, evidence, and witnesses on his or her behalf; and
 - (iv) The proposed sanction(s) to be imposed.
 - (c) A hearing occurs at which the alleged violator has the right to present evidence and present and cross-examine witnesses. The hearing shall be held in executive session before the Board of Directors, pursuant to the notice and shall afford the alleged violator a reasonable opportunity to be heard. Prior to the effectiveness of any sanction hereunder, proof of notice and the invitation to be heard shall be placed in the minutes of the meeting. This proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer or director who delivered the notice. The notice requirement shall be deemed satisfied if the alleged violator appears at the meeting. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction, if any, imposed.
2. This procedure is not required prior to certain parking violations that require more immediate action, including but not limited to a vehicle parked without the appropriate Association parking permit; a vehicle parked improperly in a handicapped designated space; a vehicle that impedes the flow of traffic; or a vehicle parked in a designated fire lane.

Effective December 15, 2013

RETURN TO:
Arthur Law Group
P.O. Box 1470
Annapolis, MD 21404

RECEIVED FOR RECORD
CIRCUIT COURT A.A. COUNTY

2013 DEC 12 A 11:14