

**The Brandywine HOA
RULES AND REGULATIONS
CC&R VIOLATION AND ENFORCEMENT POLICY**

The Brandywine HOA has established the following Enforcement Policy for Covenants, Conditions and Restrictions (CC&R's) violations enforcement, and any applicable monetary fines for continuing violations. This Policy will be deemed part of the Association Rules and is subject to amendment or modification at any time by majority vote of the Board. This Enforcement Policy for non-monetary violations is adopted in accordance with North Carolina State Law (N.C. Gen. Stat. 47F-3-107.1) and the provisions of the CC&R's and Project Documents, as currently in force and effect.

First Notice:

A letter will be sent to the Owner of the property outlining the violation. In the event that the Owner of the property can be identified as an absentee Owner, a copy of the violation letter will also be sent to the tenant at the property address. The Owner will be given fourteen (14) calendar days to bring the violation into compliance. For violations of the Brandywine HOA Parking Rules, the Owner will be given two (2) calendar days to bring the violation into compliance.

Second Notice:

The second letter notifies the Homeowner that a fine has been assessed against them and continued violation will result in legal action and legal costs assessed against the Homeowner at the discretion of the Board of Directors. This letter will offer an opportunity for a Hearing. **This fine is collectable just as it is for any other assessment amount.**

Health, Safety, and Welfare: Immediate action will be required on any violation that would affect the health, safety, and welfare of the Association or Association Members.

Opportunity to be Heard: Grievances (Statement of Defenses) arising from, or an appeal of, any enforcement Action and /or Assessment must be addressed in writing to the Board of Directors of the Association, dated and signed by an Owner, and forwarded to the Association within 14 calendar days of receipt of the formal notice of violation. Upon receipt of request for a hearing, a date and time will be scheduled to hear the Owner's grievance. A notice will be sent to the Owner at least 14 calendar days prior to the date of the hearing. Decisions of the Board are final in all cases.

Violation Fee: \$20.00 per day from date of second letter to owner until violation is corrected

Assessment set by Board of Directors not to exceed \$100.00 per week.

Brandywine HOA
Parking Rules
Effective August 15, 2013

WHEREAS, parking has been a recurring safety issue within the Brandywine community,

WHEREAS parking incidents have caused significant safety and welfare issues which prevent the orderly and efficient use of our streets, including access by emergency personnel and necessary services,

WHEREAS the streets within Brandywine subdivision are narrower than older subdivisions, are not wide enough to accommodate both two-way traffic AND on-street parking, and therefore certain parking restrictions must be enforced in order to ensure safe access and free-flowing traffic throughout our community,

WHEREAS the promotion of a safe and secure order of access within our neighborhood is beneficial to residents, our security, and our property values,

The following parking rules are hereby adopted effective after 15 days of distribution by the current property management company, and are binding on Brandywine owners, residents, tenants, guests and invitees. All vehicles located, whether standing or parked, within the community are subject to state and local laws and these rules. Owners and residents are responsible for the actions of their tenants, guests and invitees. Any vehicle in violation of the state, local, or community rules shall be subject to enforcement actions, including towing and/or ticketing:

1. All parking must be done in a manner that allows all streets to be passable by large-scale trucks at all times, including but not limited to commercial delivery trucks, school buses, fire trucks, ambulances, and any emergency vehicle.
2. No vehicle shall be parked directly across the street from another parked vehicle.
3. No on-street parking is permitted within 50' of any intersection at any time.
4. All parking must be done in a manner that does not obstruct any owner's exit from his or her driveway. This includes but is not limited to parking a vehicle perpendicular to a driveway across the street, or parking in such a manner where the owner will be unable to move his or her vehicle from the driveway in any configuration.

5. No vehicle shall obstruct any mailbox, fire hydrant, or other visible above-ground public facility (water meters, electrical boxes, etc.)

6. All parking must be done in a manner that does not obstruct any sidewalk. This rule means that no portion of a vehicle can hang over the sidewalk crossing the owner's driveway.

7. If any vehicle will be parked on any street within the neighborhood for longer than 48 hours, you must contact the property manager. Owners are encouraged to contact the property manager in advance of such situations if possible.

8. Failure to abide by any of these rules could result in penalties and/or fines for each violation. Such penalties include, but are not limited to, a warning notice for first offense, and a fine of \$20 for each day the violation continues for any second or additional offense, as described in the attached Brandywine HOA Rules and Regulations CC&R Violation and Enforcement Policy.

9. For purposes of clarification, "commercial vehicle" as used in Section 6 of the Restrictive Covenants for Brandywine Subdivision, shall mean any vehicle bearing commercial tags from any state Division of Motor Vehicles and bearing some form of advertisement, including school or church vans or buses.

10. Homeowners must contact property manager when an event is planned that will likely generate a large number (5 or more) of vehicles parking on the street. The property manager can then advise neighbors and/or warn of conflicting events.

11. No home owner's parking space may be sold or offered in exchange for anything of value.

12. These rules are in addition to and in clarification of any parking restrictions in the Declaration of Restrictive Covenants. If there is a conflict between these rules and the Declaration, the Declaration shall control.

13. Any owner or resident who directly engages a tow company to enforce any provision of these rules shall bear full and complete responsibility for said action and shall agree to hold the Brandywine HOA, its Officers, members of its Board of Directors, and its Managing Agent harmless from any and all liability, costs, or fees they may incur in defending themselves for any enforcement actions undertaken which were not directly authorized by the Managing Agent.