

ASSOCIATION OF UNIT OWNERS OF FLANDERS LOFTS, A CONDOMINIUM

Resolution of the Board of Directors

“Enforcement - Schedule of Fines”

Revised and Adopted: June 2024

RECITALS

- A. **“Association”** is the “Association of Unit Owners of Flanders Lofts, a Condominium,” which is also an Oregon nonprofit corporation.
- B. The Association is governed by the following documents, recorded in the records of Multnomah County, Oregon, referred to herein as **“Governing Documents”**:
 - 1. Declaration Submitting Flanders Lofts, A Condominium to Condominium Ownership, recorded on August 15, 1997 as document number 97123846, including any amendments thereto (the **“Declaration”**);
 - 2. Bylaws of the Association of Unit Owners of Flanders Lofts, a Condominium, recorded as Exhibit C to the Declaration with the same document number; along with the First Amendment to the Bylaws of the Association, recorded on March 16, 2005; and the Second Amendment to the Bylaws of the Association, recorded on February 11, 2013, collectively shall be referred to as the **“Bylaws.”**
- C. The Association is also governed by the Oregon Condominium Act, ORS Chapter 100.
- D. ORS 100.405(3), Article 14.3 of the Declaration, and Article 3.7 of the Bylaws vest the Board of Directors (the **“Board”**) with all of the powers and duties necessary for the administration of the affairs of the Association.
- E. ORS 100.405(3) and Article 7.5(l) of the Bylaws empower the Board to adopt Rules and Regulations.
- F. ORS 100.450(5) and Article 5.6 of the Bylaws provide that fees, late charges, fines, and interest imposed by the Association are enforceable as Assessments.
- G. ORS 100.405(4)(k) and Article 7.6(c) of the Bylaws provide that the Board may levy reasonable fines for violations of the Declaration, Bylaws, and Rules and Regulations of the Association after notice and an opportunity to be heard, if the fine is based on a Schedule of Fines adopted by a resolution of the Board.
- H. The Board has previously adopted a revised Schedule of Fines dated May 2022 to be applied with the Enforcement Resolution.
- I. The Board deems it necessary and desirable to adopt a revised Schedule of Fines to be used by the Board in imposing sanctions for violations of the Declaration, Bylaws, or Rules & Regulations of the Association.

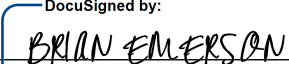
RESOLUTION

NOW, THEREFORE, it is Resolved that the Schedule of Fines attached as Exhibit A is adopted by the Board of Directors to determine the fines for violations of the Declarations, Bylaws, and Rules & Regulations, replacing in its entirety any previous Schedule of Fines in the the Rules & Regulations of the Association.

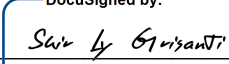
1. **Enforcement Resolution.** The procedure for handling complaints and enforcement of violations of the Declaration, Bylaws, and Rules and Regulations is set forth in the current Enforcement Resolution.
2. **Remedies for Violations.** The Board shall have the authority to levy fines as provided in the Association's Schedule of Fines, after providing the owner with notice and opportunity for a hearing. The Association shall have all other remedies at law or in equity to enforce the provisions of the rules and regulations in accordance with the Declaration, Bylaws, and the Condominium Act.
3. **Notice and Right to a Hearing.** For per-occurrence violations (i.e. violations that are not continuing violations), the Board may proceed immediately to sending the Alleged Offending Owner a second notice offering the opportunity for a hearing, without sending a first notice.
4. **No Fines Pending Resolution of a Hearing.** Pending resolution of a requested hearing, no fines may be charged against the account of an Alleged Offending Owner.
5. **Renters, Other Non-Owner Occupied Units, and Guests.** The owner of any unit shall be responsible for the violations of any agent, vendor, renter, tenant, guest, or family member who violates any portion of the Declaration, Bylaws, or Rules & Regulations.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to each Unit Owner at the address or e-mail address shown in the records of the Association, and also included in the electronic collection of governing documents maintained and made available by the Manager. This Resolution shall be binding on each Unit Owner and all occupants as of the date of delivery of this Resolution to Unit Owners.

ATTESTED:

DocuSigned by:


Chairperson, Board of Directors,
AUO of Flanders Lofts, A Condominium

DocuSigned by:


Secretary, Board of Directors,
AUO of Flanders Lofts, A Condominium

DATED : June 11 , 2024

Exhibit A

ASSOCIATION OF UNIT OWNERS OF FLANDERS LOFTS, A CONDOMINIUM

Rules & Regulations
SCHEDULE OF FINES

Adopted June 2024

Maintenance, Additions, Alterations, and Improvements

Failure to maintain unit in good repair [Section 13.2 of the Declaration, Article 7.1(a) of the Bylaws]	\$100 Per Week
Any alterations to a unit which jeopardize soundness or safety of the condominium [Article 7.2(c) of the Bylaws]	\$100 Per Week
Unauthorized alteration which changes the exterior appearance of a unit or any common element [Article 7.2(d) of the Bylaws]	\$100 Per Week
Commencing any improvement (valued at \$500 or more) to a unit without prior written approval from the Board following an architectural review [Article 8.2(f) of the Bylaws]	\$250 Per Occurrence
Performance of construction work during unpermitted hours or days, or with inadequate supervision, or after being notified to stop work pending application approval [Additions, Alterations, and Improvements Resolution]	\$100 Per Day

Safety and Building Security

Harassing, threatening, aggressive or intimidating conduct that targets other owners, residents, property management employees, or board volunteers	\$500 Per Occurrence
Compromising building security, jamming or propping open any building door, allowing an unknown person or vehicle access to the building, or neglecting to monitor the overhead garage door after causing it to open	\$250 Per Occurrence
Sharing or other misuse of building access PIN codes, including allowing use by renters, tenants, guests, delivery services, household workers, or service providers	\$250 Per Occurrence

Animals

Keeping prohibited types of animals in a unit [Article 7.5(d) of the Bylaws]	\$100 Per Week
Permitting an animal to run at large or a dog not carried or kept on a leash outside a unit [Article 7.5(d) of the Bylaws]	\$100 Per Occurrence
Failure to pick-up animal waste [Article 7.5(d) of the Bylaws]	\$500 Per Occurrence

Use of Condominium Property

Failure to provide advance notice of and schedule a Move-in or Move-out in with the Manager. [Move In/Out Resolution]	\$250 Per Occurrence
Obstructing access through, storing debris or materials in, or the careless or improper use of a building Common Element [Article 7.5(b) of the Bylaws]	\$100 Per Day
Improper or careless use of building elevator, including failure to use proper wall and floor protection when needed, overloading, or blocking elevator door open	\$150 Per Occurrence
Noxious or offensive activity in a unit or on a common element, or excessive vehicle idling in the garage. [Article 7.5(c) of the Bylaws]	\$250 Per Occurrence
Unlawful use of any part of condominium property, or failure to observe valid laws, zoning ordinances, or regulations of governmental bodies with jurisdiction [Article 7.5(c) of the Bylaws]	\$500 Per Occurrence
Disturbing noises, including conspicuously loud noises at any hour, or excessive noise during quiet hours (10 p.m. to 7 a.m.) [Article 7.5(c) of the Bylaws]	\$250 Per Occurrence
Smoking on a General Common Element or Limited Common Element [Smoking Resolution]	\$50 Per Occurrence
Improper dumping of trash or debris on a common element or outside of a designated sanitary container [Article 7.5(i) of the Bylaws]	\$250 Per Occurrence
Items visible from building exterior affecting appearance, or display of signs visible from exterior of unit or in public view [Article 7.5(f) & Article 7.5(h) of the Bylaws]	\$100 Per Week
Unauthorized parking, including parking a vehicle in another homeowner's assigned space, or obstructing free passage in or through the garage [Article 7.5(b) of the Bylaws]	\$250 Per Day
Improper storage of personal or household items in any Common Element or parking space, or storage of property in any way that causes a hazard or nuisance. [Article 7.5(i) of the Bylaws]	\$100 Per Week
Oversize vehicles (18' max), vehicles parked or items stored outside of the marked boundaries defining a Unit's parking space. (Individual parking spaces vary in size, per plat and survey)	\$100 Per Week

Leasing and Rental of Units

Failure to promptly inform the Board or Manager of a new rental tenant or lessee [Article 6.6 of the Bylaws]	\$500 Per Occurrence
Leasing a unit for transient or hotel purposes, or for a period of less than (7) seven days [Article 7.5(g) of the Bylaws]	\$100 Per Day
Failure to execute a written rental or lease agreement that provides the required terms of a lease or rental in the condominium [Article 7.5(g) of the Bylaws]	\$250 Per Occurrence
Failure to provide a tenant or lessee with copies of the Association's governing documents, and rules & regulations [Article 7.5(g) of the Bylaws]	\$100 Per Occurrence

Businesses

Operation of unauthorized business in a Residential Unit [Article 10.1 of the Declaration; Article 7.5(a) of the Bylaws]	\$250 Per Week
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Insurance

Failure to maintain required insurance [Article 8.1.6 of Bylaws]	\$250 Per Occurrence
Tendering claims to Association's insurance without Board approval [Insurance Resolution]	\$250 Per Occurrence
Conditions that cause an increase in rate of insurance of common elements [Article 7.5(j) of the Bylaws]	\$250 Per Occurrence

Other Violations Not Listed

Other “per-occurrence” violations of the Declaration, Bylaws, or Rules & Regulations that are not specifically listed herein	\$250 Per Occurrence
Other “continuing” or ongoing violations of the Declaration, Bylaws, or Rules & Regulations that are not specifically listed herein	\$100 Per Week