

RESOLUTION

ADOPTED BY THE BOARD OF DIRECTORS

WILLOWBROOK ESTATES COMMUNITY ASSOCIATION UNITS 1,2,3

POLICIES AND PROCEDURES REGARDING VIOLATIONS

OF DECLARATION, BY-LAWS AND RULES AND REGULATIONS

BE IT RESOLVED that, in the event the Board of Directors and/or a lot owner or a tenant wishes to lodge a complaint against another lot owner, tenant, or guest, the following procedures shall be followed:

COMPLAINT PROCEDURE

In the event an Association member has a complaint with regard to the conduct of another lot owner, tenant, or tenant's family members or guests of owner or tenant, the following shall apply:

1. The Association member may attempt to resolve the complaint by himself.
2. Some regulations of the Association are identical to ordinances of the Will County and/or the Township of Crete. Such violations should be reported immediately to the proper authorities. It is the owner's responsibility to become familiar with all State, County and Township codes and ordinances.
3. A written complaint must be presented to the President of Willow Brook Estates Community Association Unit 1, 2, 3 clearly stating the alleged violation indicating what part(s) of the Declarations, Bylaws or Rules and Regulations has been violated, the responsible party or parties; the dates and times of the incident, etc. The attached Violation Complaint Form WBECA # 002 may be used.

- A. Any complaint, which alleges a violation of the Declarations, By-Laws or Rules and Regulations shall be made in writing and shall contain substantially the same information as that set forth in the Violation Complaint attached hereto. Minimally, the complaint shall set forth the following:
- i. The name, address and phone number of the complaining witness.
 - ii. The Owner's name, address of the property where the person or Resident complained of resides or the guest was visiting.
 - iii. The specific details or description of the violation, including the date, time and location where the violation occurred.
 - iv. A statement by the complaining witness that he or she will cooperate in the enforcement procedures and will appear as a witness at a hearing or trial if requested by the Board of Directors.
 - v. The name, signature, address, and phone number of the complaining witness and the date on which the complaint was signed by the complainant.

The Association recommends that photographs or tape recordings be made if possible to illustrate the nature of the violation. Any such photographs or tapes should be sent with the Violation Complaint or forwarded as soon as possible. The name of the person who took the photograph or made the tape and the date on which it was made should be included.

On receipt of a complaint, the Board of Directors will communicate to all parties involved, in writing that a complaint has been lodged and will be heard by the Board of Directors.

VIOLATION PROCEDURE

1. The offending party, and the Lot Owner, if the offending party is a tenant or guest, shall be given a written notice of the fact that a complaint has been filed and that a hearing will be held setting forth the date, time and place of the hearing. Said notice shall further state the offending party may be found guilty of the offense by the Board of Directors and a fine may be levied, and advising the recipient of the notice that it is in their best interest to be present at the hearing.
2. The hearing shall be for the purpose of determining if there has been a violation and assessing the fine, if a violation has occurred. Witnesses and attorneys may be present at a hearing.
3. The hearing shall be open but the decision of the Board shall be made in a closed session immediately after the hearing. A finding of guilt and an assessment of a fine will be made upon majority vote of a quorum of the Board of Directors. See Section 18.5 (B) (4) (C) of the Illinois compiled statutes.
4. Notice of the decision of the Board shall be sent to the Lot Owner and guest or tenant, if applicable, within ten (10) days of the date of the hearing.
5. In the event of a fine assessed hereunder, the Lot Owner shall pay any charges imposed within thirty (30) days after notification that such charges are due. Failure to make payment on time shall subject the Lot Owner to all of the legal or equitable remedies necessary for the collection thereof. All charges imposed hereunder shall be added to the Lot Owner's account, shall become an assessment against the Lot and shall be collectible as a Common Expense in the same manner as any regular assessment against the Lot.
6. Any legal expenses and costs incurred by the Association relating to any Complaint, hearing and /or litigation shall be assessed to the Lot Owner's account if the Board of Directors determines that a violation has occurred.
7. Notices hereunder from the Association shall be deemed delivered on the date of the notice when personally delivered or sent by certified mail in a properly stamped and addressed envelope to the Lot Owner at the Lot address, or to such other address as the Lot Owner shall have previously filed with the Board. For Lots held in trust, the notice may be sent either to the address of the trustee or to such address as has been provided to the Association by the trustee or the holder of the beneficial interest of the trust. Refusal to accept certified mail automatically implies delivery.

8. The remedies hereunder are not exclusive, and the Board may, in addition, take any action provided at law, in equity, or in Declaration and By-laws to prevent or eliminate violations thereof or of the Rules and Regulations of the Association.

The Board reserves the right to determine the amount of fines* depending on the degree of severity of the violation. In addition to the foregoing remedies, the Board may remedy parking violations by immediately causing the vehicle to be towed at the expense of the owner of the vehicle and/or the Lot owner. Towing will be done with approval of Sheriff and witnessed by a Deputy.

Without limiting the foregoing, the Association may take any and all legally appropriate action to correct violations, including the initiation of a lawsuit. The violating owner shall be responsible for all costs, including, but not limited to, attorneys' fees associated therewith.

* Fines for violations of the Architectural Review Committee Guidelines may vary.

Dated: _____

WBECA
Date issued: 7/04
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