



SCHIEVELING PLANTATION HOMEOWNER'S ASSOCIATION
3000 MACBETH CREEK DRIVE
CHARLESTON, SC 29414

Example (Fictitious Letter)

January 17, 2006

Ivan and Hermione Resident
4550 Rhett Butler Drive
Charleston, SC 29414

Re: Overnight Parking

Dear Ivan and Hermione Resident:

Under the Schieveling Plantation Compliance/Fine System, the Board of Directors sent you a formal letter dated January 4, 2006 regarding overnight parking.

In part, that letter contained the following information:

"Section 4 (Suspension of Membership Rights), page 5 of the Bylaws of Schieveling Plantation Homeowner's Association, Inc. states:

"The Board of Directors of The Association, by simple majority vote, may suspend the rights of any member who violates any of the provisions of the Declaration [which, by definition, includes "... the Declaration of Covenants and Restrictions for Schieveling Plantation and/or and (sic) Supplementary Declaration of Covenants, Conditions and Restrictions for Schieveling Plantation applicable to the Properties referred to herein and recorded at the RMC office for Charleston, County, South Carolina."], including but not limited to default in the payment of any annual or special assessments levied by the Association. In the event of such suspension, the voting rights and right to the use of The Association's properties and facilities [which include the pool, club house, etc.] by such member may be suspended by the Board of Directors until such violation has been corrected. The rights of a member may also be suspended by the Board of Directors, for a period not exceeding thirty (30) days, for violation of any rules and regulations established by the Board of Directors governing the use of The Association's properties and facilities."

Section 42 (Violation), pages 15 and 16 of the DCRSP, reads in part:

"In addition to the rights and remedies hereinabove enumerated, and not by way of limitation, if the Association Board determines that any provision of these covenants has been violated, the Association Board may seek appropriate relief at law or in equity to assure that the purposes of these covenants are fulfilled; the Association Board shall be entitled to attorney's fees if it prevails."

The Board of Directors has voted unanimously to initiate the administrative and legal actions at our disposal. If after receipt of this letter, you violate the parking restrictions again, your suspension from the voting rights and use of The Association's properties and facilities will be effective from the specified date in an ensuing confirmation letter. Legal action will follow."

Subsequent to receiving the January 4, 2006 letter, you parked your vehicle (Model T 361 ABC (SC)) overnight on the street on the nights of January 7-8 2006 and January 8-9, 2006.

As a result of these infractions, the Board of Directors has voted unanimously to suspend your "...**voting rights and right to the use of The Association's properties and facilities [which include the pool, club house, etc.]...**" for a period of 30 days, commencing January 31, 2006. In addition, the Board is assessing an additional \$50.00 fine for the two infractions and \$250.00 for previous overnight parking infractions. Further infractions will lead to legal action, where "...**the Association Board shall be entitled to attorney's fees if it prevails.**" If you do not pay the \$300.00 in fines within 30 days after receiving the invoice from the HOA Treasurer, a lien will be placed upon your property. The lien will include the administrative costs for placing the lien. All transactions shall be made via USPS mail.

If you wish, you may appeal this decision to the Board of Directors prior to the effective date of the penalties. Please contact the Secretary of the Association, John Doe (123-4567), who will call a meeting of the Board. No enforcement penalty or fine will be imposed until after the hearing.

We regret this matter has proceeded this far. As previously stated to you, the Board has the legal responsibility to enforce Schieveling Plantation governing documents, and you have the acknowledged legal responsibility to follow them.

Sincerely,

The Board of Directors
Schieveling Plantation Homeowner's Association, Inc.