

Rules, Regulations, and Penalties of the Marlise Manor Property Owners Association

Preamble

In order to fulfill the rights and responsibilities of the Marlise Manor Property Owners Association (MMPOA) bylaws, the MMPOA Board of Directors do hereby establish the following in effort to promote the protection of the property values of the subdivision and the general well-being of its residents.

Please note that all of the Rules and Regulations underlined herein are pre-established rules from the Original and/or Amended Phase I, II, and III MMPOA Covenants and Restrictions predating 2009, and/or the By-Laws, originally established in 2007 and amended in 2009, which are available upon request or by going to <http://marlisemanor.com/covenants.aspx>. This document serves only as a quick reference guide for the most common violations of the MMPOA Covenants and Restrictions.

Rules and Regulations

Parking and Vehicle Restrictions

- 1) Consistent parking of vehicles on the street is prohibited. MMPOA retains the right to determine what is "consistent". (i.e. *frequently utilizing the street as parking area for the home during the day or overnight*)
- 2) No vehicles may be parked on any lawn (either fully or partially).
- 3) No trailers, boats, campers, recreational vehicles, motor homes, motorcycles, jet skis, or non-functional cars may be parked in a driveway or on the street (or lawn/in-sight).
- 4) Vehicles **temporarily** parked on the side of the street [*e.g. a service vehicle*] must allow ample room for other vehicles, including emergency vehicles, to pass at all times. MMPOA retains the right to determine "ample room." (*e.g. sufficient room for an ambulance or firetruck to pass through*).

Trash

All garbage and trash shall be placed and kept within sanitary containers as furnished by the City of Conway and shall be kept from public view except when placed out for scheduled pick up.

Property owners and tenants shall not place any bulk items, furniture, appliances, or other debris at the curb or on the lawn unless such items are approved for pick-up by the Conway Sanitation Department. It is the responsibility of the property owner or tenant to arrange proper disposal of any items not eligible for curbside pick-up. For more information, residents may visit the City of Conway's bulky item pick-up guidelines at <https://conwayarkansas.gov/sanitation/bulky-item-form/>.

Administration of Penalties for Delinquent Dues and Other Violations

Dues

1. The annual dues...shall be \$50.00, and will be due...June 1.
2. Any payment received after June 30, shall be considered delinquent and will be assessed a late payment penalty of \$25.00.

3. Unpaid dues will be considered in default if not paid by October 1st. On or after that day, the board will assess a lien on the property for the amount owed plus the cost of filing the lien.

Violation Warnings and Fine Procedures

1. Upon observation of a violation of one or more provisions set forth by the MMPOA Covenants and Restrictions and/or the MMPOA By-Laws, MMPOA shall send one notice, in writing, outlining the violation(s) and allowing the owner a 7 day grace period to correct the situation.
2. After the grace period has expired, a fine will be levied for each violation that has neither been adequately corrected nor granted an extension (as outlined below), and in accordance to the MMPOA Fine Schedule:

MMPOA Fine Schedule

Week/Fine 1	\$25
Week/Fine 2	\$50
Week/Fine 3	\$100
Letter of Final Notice	Fine; outstanding fines; legal fees
Lien	Lien will be filed on the property including all charges plus the cost of filing

3. Fines shall be paid or disputed within 7 days of receipt—Remit payment to: **[Marlise Manor Property Owners Association (MMPOA); P.O. Box 1693, Conway, AR 72033-1693]**. Unpaid fines will be added to the homeowner's POA dues with a billing fee assessed. Undisputed fines will not be waived at the time of the POA dues billing cycle under any circumstances. Fines added to POA dues will be treated as such in terms of delinquency and default if unpaid.
4. Final Notice—The MMPOA lawyer will issue the owner a final notice of requirement to adequately correct the violation(s) and/or pay the fines plus attorney fees. The owner will have one week to satisfy the requirement(s).
 - a. If the requirement(s) have not been satisfied during the one week period after receipt of the final notice, a lien will be filed on the property including all charges plus the cost of filing.
5. Liens and timing: MMPOA retains the right to file liens on any property for dues or fines in default whenever it deems appropriate and practical, and assumes no responsibility for any variance in lien charges that may occur as a result.

Extensions

1. Owners may request an extension for the time allowed to correct a violation before a fine is levied.
2. Approval for an extension will be dependent upon the effort required to correct the violation.
3. Extensions will apply only to time after a request was made by the owner and approved by MMPOA. Penalties levied prior to an owner's attempt to adjust expectations will not be waived. MMPOA assumes no responsibility for circumstances preventing an owner from learning of a warning or fine within the allotted 7 day grace period.