

**ENFORCEMENT RESOLUTION OF THE BOARD OF DIRECTORS OF
THE ASSOCIATION OF UNIT OWNERS OF
ST. JOHNS COURT CONDOMINIUM**

Recitals

1. The Association of Unit Owners of St. Johns Court Condominium (“Association”) is an Oregon non-profit corporation that oversees the operations of the St. Johns Court Condominium in Portland, Oregon.
2. The Association is subject to the Oregon Condominium Act, ORS Chapter 100.
3. The Association is governed by the following documents:
 - 3.1. *Restated Declaration Submitting St. Johns Court Condominium to Condominium Ownership*, recorded in the deed records of Multnomah County, Oregon, as document no. 2006-080853 (“Declaration”); and
 - 3.2. *Bylaws of the Association of Unit Owners of St. Johns Court Condominium* (“Bylaws”).
4. The Association was created to oversee the affairs and operations of the St. Johns Court community.
5. Section 11.3 of the Declaration vests in the Association all the powers and duties granted by the Oregon Condominium Act, as well as those powers conferred by the Declaration and the Bylaws.
6. Pursuant to ORS 100.405(4)(a) and Article VI, Section 2(n) of the Bylaws, the Association is entitled to adopt rules and regulations for the community.
7. Pursuant to ORS 100.405(4)(k), the Board of Directors is authorized to levy fines for violations of the Declaration, Bylaws, or rules and regulations of the Association.
8. For the benefit and protection of the Association and of the individual owners, the Board of Directors deems it necessary and desirable to establish a formal procedure for the handling of complaints and the enforcement of the Declaration, Bylaws, and Rules and Regulations to ensure owners receive notice and an opportunity to be heard in cases involving violations of the Declaration, Bylaws, or Rules and Regulations.

9. The Board deems it necessary and desirable to adopt a Schedule of Fines to be used by the Board in imposing sanctions for violations of the Declaration, Bylaws, or Rules and Regulations of the Association.

Resolution

1. All prior Enforcement Resolutions or Financial Penalties Resolutions, if any, are rescinded and are no longer of any force.
2. The procedure set forth below shall now be the process for handling complaints and enforcement of violations of the Declaration, Bylaws, or Rules and Regulations of the Association.

3. VIOLATIONS

- 3.1. The Board of Directors may begin enforcement proceedings if it determines that there is a violation of the Declaration, Bylaws, or Rules and Regulations of the Association. Actual knowledge, a complaint submitted by an owner, or any other reliable information is sufficient to make a determination.
- 3.2. Any complaint submitted by an owner must contain the following:
 - 3.2.1. Name and address of owner submitting the complaint;
 - 3.2.2. Name and address of violating owner; and
 - 3.2.3. A description of the violation, including dates and times.
- 3.3. At the Board's discretion, the name and address of the complaining owner may be kept private if the publication of such information would pose a threat to the complaining owner's safety.

4. NOTICE

- 4.1. After determining the existence of a violation, the Board shall notify the owner of the violation.
- 4.2. The notice must contain the following:
 - 4.2.1. A description of the violation and, if available, photographs of the violation;

- 4.2.2. A statement that the owner is entitled to an opportunity to be heard by the Board before further action is taken or fines are levied, and that the owner shall have 14 days from the date on the notice to present a written request to be heard;
 - 4.2.3. The amount of the fine, consistent with the Schedule of Fines, that will be levied if the violation is not remedied;
 - 4.2.4. Whether the fine will be levied daily, weekly, monthly, or per incident;
 - 4.2.5. A description of any other remedies that may be taken by the Association to remedy the violation;
 - 4.2.6. What action must be taken by the owner to remedy the violation;
 - 4.2.7. If the violation is ongoing, the time frame for remedying the violation; and
 - 4.2.8. A statement that the fines or other remedies shall be imposed unless the owner presents a written request for an opportunity to be heard by the Board within 14 days of the date on the notice.
- 4.3. The notice shall be mailed to the owner via first-class mail to the address on file with the Association.

5. RESPONSE TO NOTICE

- 5.1. The owner must respond to the notice of the alleged violation in writing within the 14 day period, regardless of whether the owner is challenging the imposition of the proposed sanction.
- 5.2. If the owner cures the alleged violation and notifies the Board in writing within the 14 day period from the date of the notice, the Board may waive the sanction at its discretion.
- 5.3. Such waiver shall not constitute a waiver of the right to sanction future violations of the same or other provisions by any person.
- 5.4. If a timely request for an opportunity to be heard is not made, the sanction stated in the notice may be imposed.
- 5.5. The Board of Directors may, at its discretion, suspend any proposed sanction if the violation is cured within the 14 day period.

5.6. Any response or request for an opportunity to be heard shall be delivered to the Association's manager, President, or Secretary, or as otherwise specified in the notice.

6. RIGHT TO BE HEARD

6.1. Prior to levying fines against a violating owner, the Board must give the owner an opportunity to be heard by the Board. The opportunity to be heard shall occur in an open Board meeting.

6.2. If the owner presents a written request to be heard after receiving the notice described in Section 4 above, the Board shall send the owner a notice containing the date, time, and place of the hearing.

6.3. If the violating owner fails to attend their opportunity to be heard, the Board may take any of the actions described in Section 7 below.

6.4. If the violating owner is present to be heard, the violating owner may present testimony or other evidence showing that there is no violation, or that the violation is not subject to enforcement by the Board.

7. BOARD DETERMINATION

7.1. At the conclusion of the opportunity to be heard, or if the violating owner fails to appear, the Board may:

7.1.1. Proceed with levying fines consistent with the Schedule of Fines;

7.1.2. Take any other enforcement action available; or

7.1.3. Dismiss the complaint.

7.2. After deliberation, the Board shall announce its decision in an open Board meeting, and record the decision in the Board's meeting minutes.

8. EMERGENCY VIOLATION

8.1. In the event a violation imposes a risk of personal injury or property damage, the Board has authority to take immediate action to address the emergency violation.

8.1.1. Emergency violations include, but are not limited to, the depositing or storage of hazardous substances, appliances, weapons, or other like items on common property.

8.2. If the Board takes immediate action to address an emergency violation, the Board shall then follow the procedure detailed in Sections 4 through 7 herein to levy a fine or fines against the violating owner.

9. MISCELLANEOUS

9.1. The Board reserves the right to amend, revise, or add to the Schedule of Fines and this Resolution as necessary.

9.2. A copy of this Resolution shall be sent or delivered to all owners.

mike orourke
President

6/12/2025
Date

Laura Horoszewski-McRoy
Secretary

6/12/2025
Date

SCHEDULE OF FINES

Violation	Cure and Abatement Period	First Violation	Repeat Violations
General Use and Maintenance			
Unapproved Construction – Failure to Stop Work within 2 days of receipt of a stop work order	2 days	\$500/event	\$750/event
Failure to maintain unit in good condition	14 days	\$50/day	\$75/day
Unapproved commercial activity	5 days	\$50/day	\$75/day
Signs	7 days	\$25/day	\$50/day
Holiday Decorations	14 days	\$25/day	\$50/day
Pets			
Animals off leash or unattended outside of owner’s unit	1 day	None	\$75/event
Loud barking or other nuisance caused by pet	1 day	None	\$75/event
Keeping of exotic animals	30 days	\$25/day	\$50/day
Trash			
Depositing of garbage or waste in any part of the Common Elements	1 day	\$100/day	\$150/day
Emergency Violations			
Emergency violations that require immediate action by the Board	None	\$500/event	\$750/event
Vehicles			
Parking in a parking space not assigned to the owner’s unit	1 day	None	\$75/event
Declaration and Bylaws			
Violation of any other rules in the Declaration or Bylaws not stated above	14 days	\$25/day	\$50/day