

*Lone Oak Creek*

*Homeowners' Association*

 July 4, 2025

Neighbors,

Per the amendment to our covenants, voted on and approved by the Lone Oak Creek neighborhood and recorded with the Oklahoma County on 12/11/2024, fines may be levied against a homeowner who is out of compliance with the covenants of our neighborhood. A draft document, for comment and feedback, was mailed to all homeowners on June 4th, 2025. The final Schedule of Monetary Penalties is below and will take effect 30 days after the final document is mailed to all homeowners, for an effective date of August 4th, 2025.

Lone Oak Creek HOA Board

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**LONE OAK CREEK HOMEOWNERS ASSOCIATION, INC.**

**RULES AND SCHEDULE OF MONETARY PENALTIES**

Whereas, the Board proposes the adoption of certain rules and monetary penalties for violations of the Amended and Restated Declaration (the “Declaration”), Bylaws, and Rules (collectively, the “Governing Documents”), and recognizes the Association board members’ vote to adopt these rules and monetary penalties as Exhibit “1” to the Declaration.

Whereas, the Board and Members find the following Rules and Schedule to be reasonable overall, specifically reasonable in relationship to the relative conduct for which a penalty is provided, as well as a reasonable balance of the various individual and shared interests and rights of the Members, Lot Owners, Association, and Board, and they find the Rules and Schedule to be necessary, and beneficial to the health, safety, and welfare of its Members, the Lot Owners, and for the preservation of property values within the Addition.

Whereas, the primary objective for the Board’s proposal and Members’ vote to approve and adopt the following Rules and Schedule is to encourage Governing Documents compliance and not penalize individuals or generate funds for the Association.

Therefore, the following Rules and Monetary Penalties, having been approved by a majority of the Board and Members after having provided at least thirty days notice to the Members with an opportunity for comment, shall be prospectively applicable to all Lots, Common Areas, Owners, and Persons, and shall go into effect the latter of August 4th, 2025, or thirty days after the date a full copy of this document is mailed or delivered to each Lot Owner.

**Schedule of Monetary Penalties**

**$50.00 per occurrence or otherwise per week** – **General use restriction violations.** At the Board of Directors discretion and upon each occurrence, which shall be defined as the existence of a violation within each twenty-four hour period, the Association may take such actions as provided within the Declaration to remedy the Lot violation and levy a monetary penalty against the Lot Owner and Lot.

**$100.00 per occurrence or otherwise per month** – **Architectural/Design violations.** At the Board of Directors discretion and upon each occurrence, the Association may take such actions as provided within the Declaration, in addition to any set out within an exhibit to the Declaration, for violations of structural restrictions, including for violations of prior approval and plan submittal requirements.

**$100.00, escalating per month** – **commercial use violations.** For violations of restrictions and rules prohibiting the use of a Lot for commercial purposes, the first occurrence shall incur a $100.00 monetary penalty. Each repeated occurrence shall incur an escalating monetary penalty of $100.00 (i.e., first violation $100.00, second violation $200.00, third violation $300.00).

**Fines (Specific Assessment & Monetary Penalties) Procedure**

**First Violation Notice**: A courtesy notice shall be sent to the Lot Owner citing the specific violation(s) and requesting correction of the violation(s).

**Second Violation Notice**: A notice shall be sent to and served on the Lot Owner giving them notice of their opportunity to request a hearing before the Board of Directors (or their appointed designees) to address the cited violation(s). The letter will identify the nature of the violation(s) and what the Lot Owner may do to rectify the violation. If the Lot Owner fails to make a timely request for hearing or provide written evidence on their behalf or in any event the Board decides to pursue enforcement, the Board may then take such remedies warranted in the Board’s discretion. If the Lot Owner offers a specific written abatement plan with target dates for compliance, the Board may waive continuing monetary penalties at its discretion. The Board of Directors will notify the Lot Owner in writing of its decision.

## **Continuing Violation:** The Board may impose a continuing monetary penalty, assessed on a monthly basis from the date of the First Violation Notice, without additional notice or hearing, until the infraction or violation has been remedied. A continuing violation is a violation of an ongoing nature, which has not been corrected.

## **Repeat Violation:** A repeat violation occurs when a person violates the same provision of the Governing Documents more than once within a twenty-four hour period and has previously been afforded notice and an opportunity for hearing for such violation. Upon a repeat violation, a notice of the repeat violation shall be sent to the Lot Owner, no hearing shall be scheduled unless requested in writing by the Lot Owner, and the Board may take such enforcement actions warranted in the Board’s discretion.

Approved by the Board in recognition of a majority Member vote for approval.