



**THORNHILL COMMUNITY ASSOCIATION, INC.<sup>sm</sup>**  
**c/o Brawley Management, LLC**

---

3325 Springbank Lane • Suite 150 • Charlotte, NC 28226 • 704-364-2139 • Fax 704-364-5812

---

**Violation Policy**  
**February, 2009 Revision**

The following will be the Thornhill Community Association, Inc. (hereinafter referred to Thornhill) Violation Policy. This policy has been written within the requirements of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Thornhill and the laws in the State of North Carolina. This policy will be enforced for the purpose of protecting the integrity, value and desirability of the lots, the owners and any and all parties having the right, title or interest in such lots in the subdivision of Thornhill. This Violation Policy will be enforced effective April 1, 2006.

Any party having any right, title or interest in the subdivision of Thornhill (hereafter “homeowner”) is required by the laws of the State of North Carolina to abide by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Thornhill Community Association, Inc. registered in the State of North Carolina, County of Mecklenburg.

If at any time any of the aforesaid parties is allegedly in violation, or witnesses a violation of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Thornhill or any governing document as allowed therein, the following procedures will go into effect:

**Reporting Alleged Violations**

- Any alleged architectural, maintenance or use violation may be reported by any lot owner, board member or ACC committee person who observes such violation.
- In addition, the Management Company may provide “drive-throughs” of the neighborhood at a frequency determined by the Board of Directors. These “drive-throughs” are intended to identify alleged violations that can be observed from the street.
- Alleged violations should be reported to any Board Member or to the Management Company in writing, either via first class mail, fax or email.
- In either case, the alleged violation should be forwarded to the Management Company so that a record of the complaint is maintained in a central repository.
- The Management Company will distribute any alleged violation received to the ACC and the Board of Directors for confirmation that the violation has merit.
- Anonymous complaints will not be considered.

**Confirmation of Alleged Violation**

- Upon receiving the alleged violation from the Management Company or the Board of Directors an ACC committee person will review the violation to determine if the violation has merit.
- Upon confirmation of a violation, ACC will work with the Board to establish an appropriate cure period. The violation, along with the required period, will be communicated to the Management Company in order that a written notification of violation may be provided to the owner who is in violation.



**THORNHILL COMMUNITY ASSOCIATION, INC.<sup>sm</sup>**  
**c/o Brawley Management, LLC**

---

3325 Springbank Lane • Suite 150 • Charlotte, NC 28226 • 704-364-2139 • Fax 704-364-5812

---

Once a violation is confirmed as stated above, the homeowner allegedly in violation will be treated with the following Steps:

**STEP 1** – The homeowner in violation will receive written notice of the charged violation and proposed fining, with a specified period of time to comply. All notices will be sent to the owners mailing address by first class mail unless the owner has notified the association in writing, of an alternate mailing address in which to receive all notifications. If the homeowner is unable to cure the violation within the specified time period, he/she is required to respond in writing within that specified time period to the Management Company or Board of Directors to either work out a resolution or request a hearing. If the management company or Board of Directors have not received a response from the homeowner or have not been able to come to a resolution within the specified period of time, Step 2 will go into effect.

**STEP 2** – The Board of Directors will set a Hearing date and will either appoint an adjudicatory panel or serve as the panel. The adjudicatory panel will determine if the homeowner is in violation of the Restrictive Covenants. If it is found that the homeowner is in violation of the Restrictive Covenants, then the panel will determine if the homeowner should be fined and/or if planned community privileges or services should be suspended pursuant to the powers granted to the association in accordance with North Carolina General Statutes. The homeowner charged shall be given written notice of the charge and the hearing date and time with said notice being mailed a minimum of ten (10) days prior to the hearing. Proof of notice, in accordance with Article 9 Section 6(a) will be placed in the minutes of the meeting. At the hearing, the homeowner will be given the opportunity to be heard and present evidence. Written notice of the decision of the panel will be mailed to the homeowner within ten (10) days of the hearing date. If it is decided that a fine should be imposed, a reasonable fine up to one hundred fifty dollars (\$150.00) per day may be imposed for each violation cited without further notice for each day after the decision that the violation occurs. If it is decided a suspension from planned community privileges or services should be imposed, it may take place until the violation or delinquency is cured. Such fines shall be assessments secured by the liens under North Carolina laws, and the Thornhill Homeowner Association, Inc. Delinquency Policy. A homeowner may appeal a decision made by the adjudicatory panel to the Board of Directors by delivering written notice of the appeal to the Directors at the association mailing address within fifteen (15) days after the date of the decision. After the Board of Directors reviews the appeal they may affirm, vacate, or modify the prior decision of the adjudicatory panel.

**STEP 3** - If the homeowner is still in violation after Steps 1 and 2 and no resolutions have been made between the homeowner, Management Company and/or the Board of Directors of the Association, the case may be turned over to the association attorney to resolve or begin lien, foreclosure proceedings and/or further legal action. While Step 3 takes place the homeowner will continue to be charged the daily fines imposed in STEP 2. Once the matter has been turned over to the attorney the homeowner in violation will be responsible for all reasonable attorneys fees as is allowed in North Carolina laws and the Thornhill Community Association Amended and Restated Declaration of Covenants, Conditions and Restrictions, or any other governing document as allowed therein, in addition to all previous assessments, interest, fees, costs or fines incurred.