

**BOARD PROCEDURES FOR ADDRESSING INFRACTIONS AND VIOLATIONS
OF ASSOCIATION RULES & REGULATIONS GOVERNING THE USE OF THE
ASSOCIATION'S COMMON PROPERTY**

Version 1.1

Approved by Battery Shores POA Board of Directors - December 5, 2011

Definitions

Board of Directors – Five elected Members who govern the Association

Witness – Member who directly observes damages, or events that are reportable under the Member Guidance on Reporting Violations or Infractions of Battery Shores Property Owners Association's Rules and Regulations.

Subject of the Inquiry – Member who is being reported as having not followed one the Associations Rules and Regulations.

Week(s) – Five business days constitutes a week.

Days – business days (Monday-Friday) observing federal holidays

Rules

A Board of Directors Member reporting an incident becomes a witness and, therefore, must recuse himself/herself from any participation in the review, judgment, etc of the incident.

Procedure

Within 24 hours of a report to the Board of Directors (Board) of an alleged Infractions or Violations, the Board shall:

- 1) Provide a response acknowledging receipt of the report by the Member of an alleged offense and obtain any additional information needed to properly investigate the alleged offense
- 2) Take actions to obtain a signed written report from all witnesses. (Note: If a witness is a Board Member, they are to recuse themselves from participating in this procedure for this incident.)
- 3) Take action to obtain the electronic history of dock access for the date(s) and time periods associated with the alleged offense

Within one week of a report to the Board of Directors of an alleged Infraction or Violation, the Board shall

- 1) In the case of witnessed vandalism and trespass, obtain a copy of the police report. (*Note: In matters of trespass, the Police will be providing a copy of the trespass citation to the Board at the time of issuance.*)
- 2) Determine which Rule(s) of the Association apply to the reported offense was broken
- 3) Attempt to determine whether the reported alleged infraction/violation was committed by a Member or non-Member who was not the guest of a Member. (Note: While the Board does not have authority over non-Members, their presence at the dock when not the guest of a Member is viewed as "trespass" and the Board does have authority over the property.)
- 4) Attempt to determine if a Member or guest of a Member, the name of the individual (Member or other individual) who is to be addressed regarding the infraction or violation
- 5) Determine if there were actual damages to the property, or if it was an act of trespass and the police were not called by the Member who reported the alleged violation to the Association, the Board may contact the Police, as these are matters for which civil charges may be brought.

- 6) Open an event tracking item in the Infractions/violations database (NOTE: A record of those alleged infractions/violations which have been determined to be true infractions/violations shall be made a part of the Member's record and shall remain on the record until the third anniversary of the date appearing on the Letter of Findings and Consequence for Violation/Infraction at which time they are expunged. The event tracking database shall have an item deleted at the time of judgment of findings when there is insufficient evidence of infraction and/or when the timeframe has reached a point where it should be expunged).
- 7) The Board shall evaluate the past infraction/violation database to determine if the infraction defined in the accusation is determined to be true, would result in a first, second, or third offense. This is done to determine the infraction level letter that should be mailed to the Member.
- 8) The Board (by majority vote) determines if contact should be made with the Member who is the subject of the investigation on the alleged offense. (Note: No letter shall be sent, if signed- written statements from the witness (es) have not been received. No more than ten calendar days shall to be allowed to receive written statements from witnesses.) If sufficient information is available and the Board determines to move forward, a letter (to be delivered return receipt requested) will be sent to the Member providing them with a notice of the offense and detailing the process. The letters and their content are defined in Section II.

No later than six weeks from the notification of the allegation, the Board shall:

- 1) At either a regularly scheduled Board Meeting, or a special Board Meeting call for this purpose, in Executive Session, the Board shall discuss and vote on the adjudication of this matter. They shall make a reasonable judgment of whether the subject of inquiry, by virtue of being the responsible key-car holder is responsible for the violation/infraction of a Rule or Regulation of the Association. The discussion and vote on this matter shall be made a part of Minutes of Executive Session to be retained in the Associations files.
- 2) Issue a follow-up on alleged infraction/violation letter to the Member who allegedly committed the infraction/violation notifying them of finding and disposition of the report of the event and any consequences.
- 3) Issue a letter to the Accuser/Witness regarding the disposition of the complaint filed on the reported event.

Board Letters – notification and delivery of determination for reported incidents based on violation levels to the subject of inquiry:

Provide the subject of the inquiry with the ability to schedule a meeting with the Board of Directors (Board). At this meeting the alleged offender will be provided an opportunity to present their information on this matter. The letter will provide information on time tables for such a presentation to Board of Directors and who to contact to schedule this meeting. The letter will provide a notice that if no contact is made the Board of Directors will be limited to making a determination based only on information obtained from the dock key-card reader history, written statements from witnesses and, in cases of vandalism and/or trespass from the police. From the information provided from these sources and from any statements from the subject of the inquiry, if offered, the Board of Directors will make a judgment on the credibility of the allegation and make a determination of the consequences for the violation/infraction and delivery this determination/consequence to the subject of the allegation.

FORM LETTERS LEVEL ONE (See Exhibits 1, 1a, 1b, 1c)

- **FORM LETTERS LEVEL ONE – NOTIFICATION OF ALLEGED INFRACTION** shall be sent by US Mail Return Receipt Requested to the subject of the inquiry defining the alleged incident and the Association's Rules that apply to the reported incident. This letter serves as a warning for non-criminal matters; however, for criminal matters (e.g., trespass or vandalism) the letter may provide the possible consequence for these actions (reparation and loss of privilege). The letter provides the Member, who is the subject of the inquiry, information on how to contact the Board of Directors to present their information related to this event (providing a 14 day window to arrange a meeting), and provides information on how the Infraction/Violation Review process works. The letter will explain if the recipient of the letter makes no request to appear before the Board, it is reasonable for the Board to assume that 1) if addressee of the letter, is not offering any

information demonstrating that the allegation is false and 2) if other evidence supports culpability, the failure to contact the Board of Directors demonstrates the addressee is willing to accept any judgment and recommendations made by the Board of Directors. Further, the letter provides a discussion of the information the Association maintains on infractions and violations. In cases of vandalism/trespass, a statement is provided that this letter does not waive the Association's option to pursue this matter utilizing the legal process. Finally, the letter provides a statement of the possible consequences should additional reports of infractions be received in the next three years. The letter will state that the addressee will be notified of the finding judgment within 30 business days of this letter or the date of the meeting with the Board of Directors whichever is later. (Note: If vandalism, a statement is provided in the letter that costs of damage repair are being obtained and if judgment is made of culpability, the addressee will be delivered a letter that includes damages to be paid. The addressee is also informed that a failure to pay for damages will be handled consistent to the Associations Delinquency and Collections Policy.) *(Note: Once a LEVEL ONE - Warning has been issued, it will never be issued again even after it has expired at the three year anniversary)*

- **FORM LETTER LEVEL ONE –NOTIFICATION OF DETERMINATION**

Provide the subject of inquiry the final judgment of the Board of Directors and, if found to be verifiable, provide again a statement that a LEVEL ONE –WARNING has been entered into their infraction/violation record and will be purged on the third anniversary of its placement in the files. Again, remind the Member that subsequent verifiable violations/infraction in the three year period will result in consequences of suspension of privileges to use the dock (the length of time will be determinate based on the LEVEL of the violation/infraction. If this infraction resulted in damages to the property, provide an invoice of the repair costs with a payment due date (allow at least two weeks for payment) and repeat that this invoice if not paid will be subject to the 10% interest rate defined in the Declaration and a Late Payment Fee of \$14.50 and Administrative Fee of \$7.50 and will be pursued, if unpaid, consistent with the Associations Delinquent Account Policies and Procedures. This letter shall be mailed US Mail Return-Receipt Requested to the Subject of the Inquiry.

FORM LETTERS LEVEL TWO - see Exhibits 2, 2a, 2b, 2c

- **FORM LETTER LEVEL TWO – NOTIFICATION OF ALLEGED INFRACTION** shall be sent by US Mail Return Receipt Requested to the subject of the inquiry defining the alleged incident and the Association's Rules that apply to the reported incident. This letter serves as a notice of reported incident for non-criminal matters; however, for criminal matters (e.g., trespass or vandalism) the letter may provide the possible consequence for these actions (reparation and loss of privilege). The letter provides the Member, who is the subject of the inquiry, information on how to contact the Board of Directors to present their information related to this event (providing a 14 day window to arrange a meeting), and provides information on how the Infraction/Violation Review process works. The letter will explain if the recipient of the letter makes no request to appear before the Committee, it is reasonable for the Board to assume that 1) if addressee of the letter, is not offering any information demonstrating that the allegation is false and 2) if other evidence supports culpability, the failure to contact the Board of Directors demonstrates the addressee is willing to accept any judgment and recommendations made by the Board. Further, the letter provides a discussion of the information the Association maintains on infractions and violations. In cases of vandalism/trespass, a statement is provided that this letter does not waive the Association's option to pursue this matter utilizing the legal process. Finally, the letter provides a statement of the possible consequences should additional reports of infractions be received in the next three years. The letter will state that the addressee will be notified of the finding judgment within 30 business days of this letter or the date of the meeting with the Board of Directors whichever is later. The Member will be informed that if it is determined this is a second infraction the result will be a suspension of the Member's Right of Use of the Dock Facility for up to 14 calendar days which will stay on the Members record for 3 years. (Note: If vandalism, a statement of costs is being obtained for damages and if judgment is made of culpability, they will be delivered a letter that includes damages to be paid. The failure to pay for damages will be handled consistent to the Associations Delinquency and Collections Policy.) (Note: As long as a LEVEL 3 Letter exists in the Member's Infraction Record a LEVEL TWO letter cannot be issued again – only a LEVEL 4 Letter can be used).

- FORM LETTER LEVEL TWO –NOTIFICATION OF DETERMINATION

Provide the subject of inquiry the final judgment of the Board of Directors and, if found to be verifiable, provide again a statement that a LEVEL TWO INFRACTION has been entered into their infraction/violation record and will be purged on the third anniversary of its placement in the files. Again, remind the Member that subsequent verifiable violations/infraction in the three year period will result in consequences of suspension of privileges to use the dock and to vote (the length of time will be determinate based on the LEVEL of the violation/infraction. If this infraction resulted in damages to the property, provide an invoice of the repair costs with a payment due date (allow at least two weeks for payment) and repeat that this invoice if not paid will be subject to the 10% interest rate defined in the Declaration and a Late Payment Fee of \$14.50 and Administrative Fee of \$7.50 and will be pursued, if unpaid, consistent with the Associations Delinquent Account Policies and Procedures. This letter shall be mailed US Mail Return-Receipt Requested to the Subject of the Inquiry.

FORM LETTERS LEVEL THREE - see Exhibits 3, 3a, 3b, 3c

- FORM LETTER LEVEL THREE shall be sent by US Mail Return Receipt Requested to the subject of the inquiry defining the alleged incident and the Association's Rules that apply to the reported incident. This letter serves as a notice of reported incident for non-criminal matters; however, for criminal matters (e.g., trespass or vandalism) the letter may provide the possible consequence for these actions (reparation and loss of privilege). The letter provides the Member, who is the subject of the inquiry, information on how to contact the Board of Directors to present their information related to this event (providing a 14 day window to arrange a meeting), and provides information on how the Infraction/Violation Review-process works. The letter will explain if the recipient of the letter makes no request to appear before the Board of Directors, it is reasonable for the Board to assume that 1) if addressee of the letter, is not offering any information demonstrating that the allegation is false and 2) if other evidence supports culpability, the failure to contact the Infraction/Violation Review Committee demonstrates the addressee is willing to accept any judgment and recommendations made by the Board of Directors. Further, the letter provides a discussion of the information the Association maintains on infractions and violations. In cases of vandalism/trespass a statement is provided that this letter does not waive the Association's option to pursue this matter utilizing the legal process. Finally, the letter provides a statement of the possible consequences should additional reports of infractions be received in the next three years. The letter will state that the addressee will be notified of the finding judgment within 30 business days of this letter or the date of the meeting with the Board of Directors whichever is later. The Member will be informed that, if it is determined this is a third infraction, it will result will be a suspension of the member's Right of Use of the Dock Facility and loss of voting rights of up to 30 calendar days. (Note: If vandalism, a statement of costs is being obtained for damages and if judgment is made of culpability, they will be delivered a letter that includes damages to be paid. The failure to pay for damages will be handled consistent to the Associations Delinquency and Collections Policy.) *(Note: As long as a LEVEL 4 Letter exists in the Member's Infraction Record a LEVEL THREE letter cannot be issued again – only a LEVEL 4 Letter can be used).*

- FORM LETTER LEVEL THREE –NOTIFICATION OF DETERMINATION

Provide the subject of inquiry the final judgment of the Board of Directors and, if found to be verifiable, provide again a statement that a LEVEL THREE INFRACTION has been entered into their infraction/violation record and will be purged on the third anniversary of its placement in the files. Again, remind the Member that subsequent verifiable violations/infraction in the three year period will result in consequences of suspension of privileges to use the dock and to vote (the length of time will be determinate based on the LEVEL of the violation/infraction. If this infraction resulted in damages to the property, provide an invoice of the repair costs with a payment due date (allow at least two weeks for payment) and repeat that this invoice if not paid will be subject to the 10% interest rate defined in the Declaration and a Late Payment Fee of \$14.50 and Administrative Fee of \$7.50 and will be pursued, if unpaid, consistent with the Associations Delinquent Account Policies and Procedures. This letter shall be mailed US Mail Return-Receipt Requested to the Subject of the Inquiry.

FORM LETTERS LEVEL FOUR - see Exhibits 4, 4a, 4b, 4c

- FORM LETTER LEVEL FOUR shall be sent by US Mail Return Receipt Requested to the subject of the inquiry defining the alleged incident and the Association's Rules that apply to the any reported incident beyond the third alleged incident and or violation on record. This letter serves as a notice of reported incident for non-criminal matters; however, for criminal matters (e.g., trespass or vandalism) the letter may provide the possible consequence for these actions (reparation and loss of privilege). The letter provides the Member, who is the subject of the inquiry, information on how to contact the Board of Directors to present their information related to this event (providing a 14 day window to arrange a meeting), and provides information on how the Infraction/Violation Review process works. The letter will explain if the recipient of the letter makes no request to appear before the Board of Directors, it is reasonable for the Board to assume that 1) if addressee of the letter, is not offering any information demonstrating that the allegation is false and 2) if other evidence supports culpability, the failure to contact the Board of Directors demonstrates the addressee is willing to accept any judgment and recommendations made by the Board. Further, the letter provides a discussion of the information the Association maintains on infractions and violations. In cases of vandalism/trespass a statement is provided that this letter does not waive the Association's option to pursue this matter utilizing the legal process. Finally, the letter provides a statement of the possible consequences should additional reports of infractions be received in the next three years. The letter will state that the addressee will be notified of the finding judgment within 30 business days of this letter or the date of the meeting with the Board of Directors whichever is later. The Member will be informed that a suspension of the Member's Right of Use of the Dock Facility and loss of voting rights of up to 60 calendar days is possible for fourth infractions. (Note: If vandalism, a statement of costs is being obtained for damages and if judgment is made of culpability, they will be delivered a letter that includes damages to be paid. The failure to pay for damages will be handled consistent to the Associations Delinquency and Collections Policy.) *(Note: the maximum suspension of privileges and voting rights is set at 8 months in an Association fiscal year. Care should be taken to review the Violation/Infraction files to make a determination if the period of suspension cited in the letter needs to be shortened to adhere to this limitation.)*
- FORM LETTER LEVEL FOUR –NOTIFICATION OF DETERMINATION

Provide the subject of inquiry the final judgment of the Board of Directors and, if found to be verifiable, provide again a statement that a LEVEL FOUR INFRACTION has been entered into their infraction/violation record and will be purged on the third anniversary of its placement in the files. Again, remind the Member that subsequent verifiable violations/infraction in the three year period will result in consequences of suspension of privileges to use the dock and to vote (the length of time will be determinate based on the LEVEL of the violation/infraction. If this infraction resulted in damages to the property, provide an invoice of the repair costs with a payment due date (allow at least two weeks for payment) and repeat that this invoice if not paid will be subject to the 10% interest rate defined in the Declaration and a Late Payment Fee of \$14.50 and Administrative Fee of \$7.50 and will be pursued, if unpaid, consistent with the Associations Delinquent Account Policies and Procedures. This letter shall be mailed US Mail Return-Receipt Requested to the Subject of the Inquiry

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.

PO BOX 6203

BEAUFORT, S.C. 29903

(DATE)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

We are writing to notify you of a report of alleged infraction of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock). Rule (enter rule number(s) state(s) "(type full rule(s)) as published".

An individual reported to the Board an incident of rule infraction/violation on (date) at time . The Board has obtained a written statement from this individual. Additionally, the Board has dumped the key-card access system and found that your key-card use corresponds to the reported date and time of the reported incident. The consequence as defined in the Association's Procedures for a LEVEL ONE Infraction, if substantiated by the evidence and judged by the Board of Directors as a verifiable infraction, is a WARNING will be delivered to you and recorded in your Infraction Record. Infraction Records remain on file for three (3) years. Once a LEVEL ONE-WARNING is issued and made a part of your record, if any other verified infraction occurs during the next three-years, the in consequence of this and future infractions will result in a loss of privilege of use of the dock.

You are notified by this letter that you have right to request a hearing before the Board of Directors within 14 calendar days of the date of this letter to discuss this matter. You may call the Secretary of the Board at (phone number) between the hours of or contact the Board by e-mail using the Contact the Board feature of the Association Website ([www.BatteryShores POA.com](http://www.BatteryShoresPOA.com)) to request and schedule this hearing. **If you make no such request to appear before the Board of Directors, you are agreeing that it is reasonable for the Board to assume: 1) you are not challenging the allegation, 2) you have no information to present to the Board demonstrating that the allegation is false, and 3) you are willing to accept the judgment of the Board of Directors on this matter.**

The Board will make a final judgment on this matter by (date – 30 days from the date of this letter) and will inform you by mail of their disposition of this matter.

Optional Paragraph

This alleged infraction resulted in damage to property of the Association. The Board of Directors is obtaining estimates for the repair of the damage and, if a judgment is made of your culpability, you will be delivered a bill of damages along with the notification of determination. If you fail to pay the cited damages, the Association will view this as delinquency which will be pursued consistent with the Association's Delinquency and Collections Policy (interest and late fees will apply).

The Board takes all reports of infraction/violations seriously, since the Rules and Regulations were passed by the majority of the Members. These Rules and Regulations are in place to assure: 1) the continued ability to provide for liability insurance on the structure which is owned by the Association of the use of all of its Members, 2) the right of enjoyment by all of the Members who are contributing to the cost of the property's maintenance, and 3) the annual cost of this maintenance of the property is controlled.

We look forward to hearing from you on this matter.

Sincerely,

(President of the Association)

Notification of Alleged Infraction – Level 1
EXHIBIT 1

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.

PO BOX 6203

BEAUFORT, S.C. 29903

(Date)

Member Full Legal Name

Member Street Address

City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was NOT broken by you, a family member, or guest. Therefore, the Board of Directors has NOT issued a Level One – Warning. We thank you for your understanding of the Board's need to review this matter.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

Notification of Board Determinations – Level 1 – No Warning Issued
EXHIBIT 1.a

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a Warning in your Association Infraction Record. This Warning will remain on your record for a period of 3 years. If any other verified infractions occur within the next three years, the consequence will be a loss of rights of use of the common property (the dock) and a suspension of voting privilege consistent with the Level of the infraction.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batteryshorepoa.com).

Sincerely,

(President of the Association)

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a Warning in your Association Infraction Record. This Warning will remain on your record for a period of 3 years. If any other verified infractions occur within the next three years, the consequence will be a loss of rights of use of the common property (the dock) and a suspension of voting privilege consistent with the Level of the infraction.

Since damage to the Association's property was judged has having been caused by you or a member of our party (house member or guest), we are billing you \$ _____ for the damage. Your payment should be received by mail at the above address within 15 days of the date of this letter. If it is not received by that date, the billed amount is subject to administrative fees, late fee, and interest being applied. The Association will pursue collection of the billed amount consistent with the Associations Delinquency and Collections Policy.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

Notification of Board Determinations – Level 1 – Warning Issued and Damages Billed
EXHIBIT 1.c

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.

PO BOX 6203

BEAUFORT, S.C. 29903

(DATE)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

We are writing to notify you of a report of alleged infraction of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock). Rule (enter rule number(s) state(s) "(type full rule(s)) as published".

An individual reported to the Board an incident of rule infraction/violation on (date) _____ at time _____. The Board has obtained a written statement from this individual. Additionally, the Board has dumped the key-card access system and found that your key-card use corresponds to the reported date and time of the reported incident. A review of your Infraction Record shows that you have on record that a Level 1 Infraction was recorded on _____. Therefore, this is viewed as an allegation of a LEVEL TWO Infraction. The consequence as defined in the Association's Procedures for a LEVEL TWO Infraction, if substantiated by the evidence and judged by the Board of Directors as a verifiable infraction, is a suspension of your Right of Use of the Dock Facility for a period of 14 calendar days. This LEVEL TWO Infraction will be delivered to you and recorded in your Infraction Record. Infraction Records remain on file for three (3) years. With a LEVEL TWO Infraction made a part of your record, the consequence for the next infraction will be an increased period of suspension of your Rights of Use of the Dock Facility and a suspension of voting rights on Association matters.

You are notified by this letter that you have right to request a hearing before the Board of Directors within 14 calendar days of the date of this letter to discuss this matter. You may call the Secretary of the Board at (phone number) between the hours of or contact the Board by e-mail using the Contact the Board feature of the Association Website (www.BatteryShoresPOA.com) to request and schedule this hearing. **If you make no such request to appear before the Board of Directors, you are agreeing that it is reasonable for the Board to assume: 1) you are not challenging the allegation, 2) you have no information to present to the Board demonstrating that the allegation is false, and 3) you are willing to accept the judgment of the Board of Directors on this matter.**

The Board will make a final judgment on this matter by (date – 30 days from the date of this letter) and will inform you by mail of their disposition of this matter.

Optional Paragraph

This alleged infraction resulted in damage to property of the Association. The Board of Directors is obtaining estimates for the repair of the damage and, if a judgment is made of your culpability, you will be delivered a bill of damages along with the notification of determination. If you fail to pay the cited damages, the Association will view this as delinquency which will be pursued consistent with the Association's Delinquency and Collections Policy (interest and late fees will apply).

The Board takes all reports of infraction/violations seriously, since the Rules and Regulations were passed by the majority of the Members. These Rules and Regulations are in place to assure: 1) the continued ability to provide for liability insurance on the structure which is owned by the Association of the use of all of its Members, 2) the right of enjoyment by all of the Members who are contributing to the cost of the property's maintenance, and 3) the annual cost of this maintenance of the property is controlled.

We look forward to hearing from you on this matter.

Sincerely,

(President of the Association)

Notification of Alleged Infraction – Level 2
EXHIBIT 2

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date ____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was NOT broken by you, a family member, or guest. Therefore, the Board of Directors has NOT issued a consequence which would result in a suspension of your privileges to use the dock or to vote. We thank you for your understanding of the Board's need to review this matter. All correspondence related to this matter has been removed from the Association's files and your Infraction Record.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batteryshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association’s Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association’s Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 2 Infraction in your Association Infraction Record. This finding of Level 2 Infraction will remain on your record for a period of 3 years. This LEVEL 2 infraction will result in a suspension of your right of use of the dock for a period of 14 calendar days to begin on or about _____. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in a LEVEL 3 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Should you have any questions regarding this matter, please feel free to contact us though the “contact the Board” feature of the Association’s website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 2 Infraction in your Association Infraction Record. This finding of Level 2 Infraction will remain on your record for a period of 3 years. This LEVEL 2 infraction will result in a suspension of your right of use of the dock for a period of 14 calendar days to begin on or about _____. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in a LEVEL 3 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Since damage to the Association's property was judged has having been caused by you or a member of our party (house member or guest), we are billing you \$_____ for the damage. Your payment should be received by mail at the above address within 15 days of the date of this letter. If it is not received by that date, the billed amount is subject to administrative fees, late fee, and interest being applied. The Association will pursue collection of the billed amount consistent with the Associations Delinquency and Collections Policy.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batteryshorepoa.com).

Sincerely,

(President of the Association)

Notification of Board Determinations-Level 2-Consequences Levied and Damages Billed

EXHIBIT 2.c

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903

(DATE)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

We are writing to notify you of a report of alleged infraction of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock). Rule (enter rule number(s) state(s) "(type full rule(s)) as published".

An individual reported to the Board an incident of rule infraction/violation on ___ (date) _____ at ___ time ___. The Board has obtained a written statement from this individual. Additionally, the Board has dumped the key-card access system and found that your key-card use corresponds to the reported date and time of the reported incident. A review of your Infraction Record shows that you have on record that a LEVEL 2 Infraction was recorded on _____. Therefore, this is viewed as an allegation of a LEVEL THREE Infraction. The consequence as defined in the Association's Procedures for a LEVEL THREE Infraction, if substantiated by the evidence and judged by the Board of Directors as a verifiable infraction, is a suspension of your Right of Use of the Dock Facility for a period of 30 calendar days and a suspension of voting privilege for this same period. This LEVEL THREE Infraction will be delivered to you and recorded in your Infraction Record. Infraction Records remain on file for three (3) years. With a LEVEL THREE Infraction made a part of your record, the consequence for the next infraction will be an increased period of suspension of your Rights of Use of the Dock Facility and a suspension of voting rights on Association matters.

You are notified by this letter that you have right to request a hearing before the Board of Directors within 14 calendar days of the date of this letter to discuss this matter. You may call the Secretary of the Board at (phone number) between the hours of ___ or contact the Board by e-mail using the Contact the Board feature of the Association Website (www.BatteryShoresPOA.com) to request and schedule this hearing. **If you make no such request to appear before the Board of Directors, you are agreeing that it is reasonable for the Board to assume: 1) you are not challenging the allegation, 2) you have no information to present to the Board demonstrating that the allegation is false, and 3) you are willing to accept the judgment of the Board of Directors on this matter.**

The Board will make a final judgment on this matter by (date – 30 days from the date of this letter) and will inform you by mail of their disposition of this matter.

Optional Paragraph

This alleged infraction resulted in damage to property of the Association. The Board of Directors is obtaining estimates for the repair of the damage and, if a judgment is made of your culpability, you will be delivered a bill of damages along with the notification of determination. If you fail to pay the cited damages, the Association will view this as delinquency which will be pursued consistent with the Association's Delinquency and Collections Policy (interest and late fees will apply).

The Board takes all reports of infraction/violations seriously, since the Rules and Regulations were passed by the majority of the Members. These Rules and Regulations are in place to assure: 1) the continued ability to provide for liability insurance on the structure which is owned by the Association of the use of all of its Members, 2) the right of enjoyment by all of the Members who are contributing to the cost of the property's maintenance, and 3) the annual cost of this maintenance of the property is controlled.

We look forward to hearing from you on this matter.

Sincerely,

(President of the Association)

Notification of Alleged Infraction – Level 3
EXHIBIT 3

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was NOT broken by you, a family member, or guest. Therefore, the Board of Directors has NOT issued a consequence which would result in a suspension of your privileges to use the dock or to vote. We thank you for your understanding of the Board's need to review this matter. All correspondence related to this matter has been removed from the Association's files and your Infraction Record.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 3 Infraction in your Association Infraction Record. This finding of Level 3 Infraction will remain on your record for a period of 3 years. This LEVEL 3 infraction will result in a suspension of your right of use of the dock for a period of 30 calendar days to begin on or about _____ and a suspension of your rights to vote on Association matters for this same time period. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in a LEVEL 4 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 3 Infraction in your Association Infraction Record. This finding of Level 2 Infraction will remain on your record for a period of 3 years. This LEVEL 3 infraction will result in a suspension of your right of use of the dock and right to vote on Association matters for a period of 30 calendar days to begin on or about _____. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in a LEVEL 4 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Since damage to the Association's property was judged has having been caused by you or a member of our party (house member or guest), we are billing you \$_____ for the damage. Your payment should be received by mail at the above address within 15 days of the date of this letter. If it is not received by that date, the billed amount is subject to administrative fees, late fee, and interest being applied. The Association will pursue collection of the billed amount consistent with the Associations Delinquency and Collections Policy.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterryshorepoa.com).

Sincerely,

(President of the Association)

Notification of Board Determinations-Level 3 – Consequences Levied and Damages
Billed

EXHIBIT 3.c

BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903

(DATE)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

We are writing to notify you of a report of alleged infraction of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock). Rule (enter rule number(s) state(s) "(type full rule(s)) as published".

An individual reported to the Board an incident of rule infraction/violation on ___ (date) _____ at ___ time ___. The Board has obtained a written statement from this individual. Additionally, the Board has dumped the key-card access system and found that your key-card use corresponds to the reported date and time of the reported incident. A review of your Infraction Record shows that you have on record that a LEVEL 3 Infraction was recorded on _____. Therefore, this is viewed as an allegation of a LEVEL THREE Infraction. The consequence as defined in the Association's Procedures for a LEVEL FOUR Infraction, if substantiated by the evidence and judged by the Board of Directors as a verifiable infraction, is a suspension of your Right of Use of the Dock Facility for a period of 60 calendar days and a suspension of voting privilege for this same period. This LEVEL FOUR Infraction will be delivered to you and recorded in your Infraction Record. Infraction Records remain on file for three (3) years. With a LEVEL FOUR Infraction made a part of your record, the consequence for the next infraction will be an increased period of suspension of your Rights of Use of the Dock Facility and a suspension of voting rights on Association matters.

You are notified by this letter that you have right to request a hearing before the Board of Directors within 14 calendar days of the date of this letter to discuss this matter. You may call the Secretary of the Board at (phone number) between the hours of ___ or contact the Board by e-mail using the Contact the Board feature of the Association Website (www.BatteryShores POA.com) to request and schedule this hearing. **If you make no such request to appear before the Board of Directors, you are agreeing that it is reasonable for the Board to assume: 1) you are not challenging the allegation, 2) you have no information to present to the Board demonstrating that the allegation is false, and 3) you are willing to accept the judgment of the Board of Directors on this matter.**

The Board will make a final judgment on this matter by (date – 30 days from the date of this letter) and will inform you by mail of their disposition of this matter.

Optional Paragraph

This alleged infraction resulted in damage to property of the Association. The Board of Directors is obtaining estimates for the repair of the damage and, if a judgment is made of your culpability, you will be delivered a bill of damages along with the notification of determination. If you fail to pay the cited damages, the Association will view this as delinquency which will be pursued consistent with the Association's Delinquency and Collections Policy (interest and late fees will apply).

The Board takes all reports of infraction/violations seriously, since the Rules and Regulations were passed by the majority of the Members. These Rules and Regulations are in place to assure: 1) the continued ability to provide for liability insurance on the structure which is owned by the Association of the use of all of its Members, 2) the right of enjoyment by all of the Members who are contributing to the cost of the property's maintenance, and 3) the annual cost of this maintenance of the property is controlled.

We look forward to hearing from you on this matter.

Sincerely,

(President of the Association)

Notification of Alleged Infraction-Level 4
EXHIBIT 4

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was NOT broken by you, a family member, or guest. Therefore, the Board of Directors has NOT issued a consequence which would result in a suspension of your privileges to use the dock or to vote. We thank you for your understanding of the Board's need to review this matter. All correspondence related to this matter has been removed from the Association's files and your Infraction Record.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date _____, an infraction of the Association's Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association's Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 4 Infraction in your Association Infraction Record. This finding of Level 4 Infraction will remain on your record for a period of 3 years. This LEVEL 4 infraction will result in a suspension of your right of use of the dock for a period of 60 calendar days to begin on or about _____ and a suspension of your rights to vote on Association matters for this same time period. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in another LEVEL 4 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Should you have any questions regarding this matter, please feel free to contact us though the "contact the Board" feature of the Association's website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

**BATTERY SHORES PROPERTY OWNERS ASSOCIATION, INC.
PO BOX 6203
BEAUFORT, S.C. 29903**

(Date)

Member Full Legal Name
Member Street Address
City, State Zip

Dear Mr(s) Last Name:

As your were notified on _____ date ____, an infraction of the Association’s Rule # ____ of the Associations Rules and Regulations Governing the Use of the Association’s Common Property (the dock) was reported on _____ to the Board of Directors. After having reviewed the information presented, the Board has concluded that Rule # _____ was broken. This has resulted in the Board of Directors entering a LEVEL 3 Infraction in your Association Infraction Record. This finding of Level 2 Infraction will remain on your record for a period of 3 years. This LEVEL 3 infraction will result in a suspension of your right of use of the dock and right to vote on Association matters for a period of 30 calendar days to begin on or about _____. During this time, your key-card will be disabled and you are not to enter onto the dock property. A violation of this suspension of use will result in a LEVEL 4 offense, as you will be, in effect, trespassing. Please note, if any other verified infractions occur within the next three years, the consequence will be additional period of loss of rights of use of the common property (the dock) and to vote on Association matters consistent with the Level of the infraction.

Since damage to the Association’s property was judged has having been caused by you or a member of our party (house member or guest), we are billing you \$_____ for the damage. Your payment should be received by mail at the above address within 15 days of the date of this letter. If it is not received by that date, the billed amount is subject to administrative fees, late fee, and interest being applied. The Association will pursue collection of the billed amount consistent with the Associations Delinquency and Collections Policy.

Should you have any questions regarding this matter, please feel free to contact us though the “contact the Board” feature of the Association’s website (www.batterysshorepoa.com).

Sincerely,

(President of the Association)

Board Notification of Determinations-Level 4 – Consequences Levied and Damaged Billed

EXHIBIT 4.c