

PROCEDURES FOR ADDRESSING VIOLATIONS OF THE FYC BYLAWS OR THE RULES AND REGULATIONS

1. Member of the Covenants Committee will contact the slip owner in person or by telephone to inform her/him of the specific ByLaw or Rule being violated.
 - 1.a. Establish a date agreeable with the owner when the situation will be resolved and prepare the FYC Rule or ByLaw Violation Checklist form to document the events to date. Place the form in the owner's file.
2. Determine whether the violation has or has not been resolved on the date agreed to with the owner. Document the checklist form if the problem was resolved and return form to owner's file.
 - 2.a. If the problem were not resolved, prepare the standard letter for the Covenants Committee Chairman formally notifying the owner of the specifics of the violation. The letter should summarize the owner's agreement to the date and manner in which the problem would be resolved. Establish a new date allowing adequate time for the owner to resolve the violation. Indicate in the letter that if the violation is not resolved by the new date, the matter will be forwarded to the Fairfax Yacht Club Board of Directors for action.
3. Determine whether the violation has been resolved on the date established in the letter sent to the owner. Document the checklist form if the problem was resolved and file the form.
 - 3.a. If the problem was not resolved, update the checklist form and indicate the recommended action for Board consideration. Place a copy of the report in the slip owner's file and update the checklist.
4. The FYC Board will draft a letter to the slip owner summarizing the violation and actions to date. Action to resolve the situation should be requested with a firm date established by the Board for closure. Inform owner that she/he may file a written appeal to the Board. Indicate further action, including monetary fines and legal action, could be taken if the situation is not promptly resolved. This letter must be sent certified, return receipt requested to the slip owner. File a copy of the signed letter in the slip owner's file and update the checklist form.
 - 4.a. Determine whether the owner filed an appeal and attach a copy of the written appeal to the checklist to be placed in the file.
 - 4.b. Update the violation checklist for action taken on the appeal request by the Board.
 - 4.c. Determine whether the violation has been resolved on the date established in the letter sent to the owner by the Board. Document the checklist form if the problem was resolved and file.

5. If the problem was not resolved, the Board will contact the FYC attorney. Copies of necessary documents will be provided to the attorney. The Board and attorney should determine the legal action to be taken and any monetary fines to be imposed including reimbursement of legal fees incurred by FYC. The attorney should prepare the necessary forms to file a lien against the slip of the owner. Copies of all forms and correspondence should be filed in the owner's file.

5.a. Determine whether the violation has been resolved on the date established by the attorney in the letter sent to the owner. Document the checklist form if the problem was resolved along with fines collected and file.

5.b. If the violation still remains unresolved, the Board will recontact the attorney for additional action. Document additional action taken by the attorney and any additional fines imposed.

Complete another inspection to determine whether the violation has been resolved and document the violation checklist form.

FYC RULE OR BYLAW VIOLATION CHECKLIST

1. Method Used To Contact Owner: _____ In Person _____ Telephone

Name of Individual Contacted: _____

Slip Number: _____

Date Contacted: _____ Time of Contact: _____ AM/PM

Individual Contacted By: _____

1.a. Specific ByLaw of Rule Violated: _____

Nature of Violation: _____

Proposed Violation Resolution Date: _____

2. Violation Resolved? Yes _____ file form No _____ (Go to step 2.a.)

Date Inspected: _____ Inspected by: _____

2.a. Letter to Owner Prepared? Yes _____ Attach Copy of Signed Letter

Mailed By: _____ Date Mailed: _____

New Violation Resolution Date: _____

3. Violation Resolved? Yes _____ (File Form) No _____ (Go to step 3.a.)

Date Inspected: _____ Inspected by: _____

3.a. Recommended Action to Board: _____

4. Letter to Owner Prepared by Board? Yes ____ (Attach copy of Signed Letter)

Mailed By: _____ Date Mailed: _____

Action taken by FYC Board: _____

4.a. Action Appealed by Owner? Yes ____ (Attach Copy of Appeal Request)

Date: _____ No ____

4.b. Appeal Granted: Yes ____ No ____ Date: _____

Action Taken by Board: _____

4.c. Violation Resolved? Yes ____ (File Form) No ____ (Go to step 5)

Date Inspected: _____ Inspected by: _____

5. FYC Attorney Contacted: Yes ____ No ____

Attorney Contacted By: _____ Date: _____

Action Taken By Attorney: _____

Fine imposed: Yes ____ No ____ Amount: _____

Date stipulated by Attorney to Resolve Violation and Pay Fine: _____

5.a. Violation Resolved? Yes ____ (File Form) No ____ (Go to step 5.b.)

Date Inspected: _____ Inspected by: _____

Fine Collected: Yes ____ No ____

