

Liberty Cove Homeowners Association
Rule – Fee Schedule Adoption and Disclosure
(Utah Community Association Act)

1. Purpose

The purpose of this Rule is to adopt and disclose a comprehensive schedule of fees and assessments in compliance with Utah Code §§ 57-8a-201(5), where applicable, and 57-8a-217.

This Rule is procedural and informational in nature—it does not create or change any fees. All fees, assessments, fines, interest, and other monetary obligations arise only under applicable law and the Governing Documents.

This Rule is intended to give Owners clear notice of what fees may be charged, how much they may be, and where the authority for each fee comes from.

2. Authority

This Rule is adopted under Utah Code §§ 57-8a-201(5) and 57-8a-217 and the authority granted to the Board by the Declaration and Bylaws.

If there is any conflict, state law controls first, followed by the Declaration, the Bylaws, and then this Rule, as provided in Utah Code § 57-8a-228(5).

3. Statutory Interpretation and Disclosure Approach Under Utah Code § 57-8a-201

3.1. Charges Subject to Fee-Schedule Disclosure

In general, the Association applies Utah Code § 57-8a-201(5) only to charges that are not already disclosed by statute or by a recorded governing document and that exist only if and when the Board affirmatively chooses to impose them. Charges that arise automatically or mechanically pursuant to statute or a recorded governing document are, in the Association's view, already disclosed and not subject to the fee-schedule adoption requirement of § 57-8a-201(5).

3.2. Conservative Disclosure

Notwithstanding this interpretation, the Association has elected to disclose in the Fee Schedule certain charges that it believes are not subject to § 57-8a-201(5), including charges arising under recorded governing documents or applicable statutes, in order to promote transparency and avoid confusion. The inclusion of such charges in the Fee Schedule is not intended to concede that they are required to be adopted by Rule under § 57-8a-201(5).

3.3. No Expansion or Modification of Board Authority

Nothing in this Rule or the Fee Schedule shall be construed to expand the Association's authority to impose charges beyond what is authorized by statute or the governing documents, or to characterize any disclosed charge as discretionary if it is not.

4. Definitions

- A. Act.** “Act” means the Utah Community Association Act, Utah Code § 57-8a-101 *et. seq.*, as it may be amended from time to time.
- B. Association.** “Association” means **Liberty Cove Homeowners Association**, a Utah nonprofit corporation, or its successor.
- C. Bylaws.** “Bylaws” means the bylaws of the Association as they may be amended or restated from time to time and as duly recorded in the office of the county recorder of the county in which the Association’s real property is located.
- D. Declaration.** “Declaration” means the declaration of covenants, conditions, and restrictions of the Association as they may be amended or restated from time to time and as duly recorded in the office of the county recorder of the county in which the Association’s real property is located.
- E. Governing Documents.** “Governing Documents” has the meaning given in Utah Code § 57-8a-102(12), as applicable to the Association.
- F. Rule.** “Rule” has the meaning given in Utah Code § 57-8a-102(26), as applicable to the Association.

5. Adoption of Rule and Fee Schedule

The Schedule of Fees attached as **Exhibit A** (the “Fee Schedule”) is hereby adopted as part of this Rule.

The Fee Schedule shows, for each listed item: (a) what the charge is; (b) where the authority for it comes from (applicable law or the Governing Documents); (c) its category; and (d) the amount or how the amount is calculated.

The Fee Schedule is provided for disclosure and transparency only. Listing a fee or assessment in the Fee Schedule does not create authority to charge it, does not change how it is classified, and does not expand lien or collection rights, all of which are governed solely by applicable law and the Governing Documents.

Adoption of this Rule and the Fee Schedule satisfies the procedural requirements of Utah Code § 57-8a-201(5), where applicable, and permits the Association to impose the listed fees prospectively in compliance with that section.

6. Effect of Member Override

This Rule is adopted to satisfy the requirements of Utah Code § 57-8a-201(5). Nothing in this Rule is intended to limit the rights of the members under Utah Code § 57-8a-217(4). Reversal or amendment of this Rule by the members would not eliminate, modify, or restrict any fee or charge authorized by statute or by the Governing Documents, and would not relieve the Association of its ongoing obligation, independent of this Rule, to maintain the Fee Schedule, as defined in Exhibit A, adopted by Rule as required by law before imposing any fee subject to Utah Code § 57-8a-201(5).

7. Supersession of Prior Fee Schedules

This Rule and the Fee Schedule adopted hereby are intended to serve as the Association's consolidated and authoritative disclosure of fees for purposes of Utah Code § 57-8a-201(5). Any prior or contemporaneous fee schedules, fine schedules, rate sheets, or similar documents adopted by Rule, resolution, policy, or practice are superseded to the extent they purport to establish, modify, or disclose fee amounts that are inconsistent with or not included in this Fee Schedule.

Nothing in this section is intended to amend or supersede the Declaration, the Bylaws, or applicable law, all of which continue to control in accordance with Utah Code § 57-8a-228.

8. Other Statutorily Authorized Amounts Not Listed

Some charges are authorized or regulated directly by Utah law and apply only in specific situations. These include, for example, amounts due upon the transfer of a lot, amounts payable to third parties, or amounts calculated by formula or by reference to actual cost (such as reinvestment fees, statutorily authorized administrative fees, resale-related charges, or similar statutory amounts).

These amounts may not appear in the Fee Schedule because they are either: (a) not recurring fees; (b) not set at the Board's discretion; or (c) payable only when a specific statutory event occurs. In those cases, the amount and conditions are controlled by statute rather than by the Board.

The omission of any statutorily authorized amount from the Fee Schedule does not prevent the Association from charging, collecting, or enforcing it, nor does it waive, limit, or concede the Association's authority to do so. Any such amount may be charged, collected, or enforced as permitted by law, so long as the Association complies with the applicable statutory requirements.

9. Categories and Authority Classification

Fees listed in the Fee Schedule are assigned Categories A through D to describe where in the statutory governing-document hierarchy the fee's amount or method of calculation is established, and therefore what level of Association action, if any, is required before the fee may be imposed.

The Category assigned to a fee is descriptive only and does not determine whether a fee is enforceable, lien-eligible, or collectible, all of which are governed exclusively by applicable statute and the Governing Documents. Category assignment shall not be used to infer lien eligibility, priority, or collection remedies. Nothing in this categorization alters or supersedes the governing-document hierarchy established by statute.

For operational purposes, the Board and management shall: (a) rely on the Fee Schedule to identify fees the Association is authorized to charge; and (b) for any fee designated as Category B or Category D, administer that fee strictly in accordance with applicable statutory limits, caps, conditions, and procedural requirements, as reflected in the Statutorily Authorized Fees schedule in Exhibit A.

9.1. Category A — Statutorily Established Fees

Category A refers to charges that are created, authorized, and established by statute, such that the statute itself fixes the amount or prescribes a formula that is mechanically determinable upon the occurrence of the statutory condition, without requiring any discretionary Association action to select an amount, set a rate, adopt a schedule, choose among permissible options, or decide whether the charge will be imposed.

A Category A fee may be imposed by operation of statute alone, without further adoption, rulemaking, resolution, or other implementing action by the Association, and without regard to whether the Association's Governing Documents independently reference the fee, unless the statute itself conditions chargeability on governing-document authorization.

9.2. Category B — Statutorily Conditioned Fees

Category B refers to charges that are permitted or materially regulated by statute as a condition of chargeability, and for which the Association must take discretionary action to determine whether the charge will be imposed or to establish the amount or method of calculation.

Category B includes both: (a) statutory charges that are authorized by statute but are not self-executing, including charges subject to statutory caps, ranges, reasonableness standards, cost-based limits, or permissive "may charge" language; and (b) governing-document charges that implement, mirror, or correspond to a statutorily recognized fee type and are therefore materially subject to statutory limits, conditions, or prerequisites affecting chargeability, even though the authority to charge arises from the Declaration, Bylaws, or other governing documents.

A charge—whether statutory or governing-document based—shall be classified as Category B only if both: (i) the Association must take discretionary action to establish the amount, method of calculation, or decision to impose the charge; and (ii) applicable statute materially regulates, caps, or conditions the charge with respect to chargeability.

9.3. Category C — Governing Document Fees

Category C refers to fees or monetary charges that are created, authorized, and established by the Association's Declaration or Bylaws, subject to applicable statutory regulation or limitation.

The existence and fundamental authority for such charges originate in the governing documents rather than statute, regardless of whether the charge is self-executing or requires further implementation under those governing documents. Statutory regulation or limitation of a governing-document fee does not, by itself, reclassify the fee as Category B.

9.4. Category D — Rule-Level Fees

Category D refers to fees or monetary charges that are created, authorized, established, or adopted by Rule, resolution, or policy adopted by the Board, acting at the lowest level of authority in the statutory governing-document hierarchy, to the extent permitted by applicable statute and the Governing Documents.

Category D includes both: (a) fees whose authority originates at the rule level because neither statute nor the Declaration, Bylaws, or other higher-level governing documents create or establish the fee; and (b) fees that are created or authorized by statute or the Governing

Documents, but for which the amount, rate, schedule, or continued applicability is expressly delegated to, or permitted to be modified by, Board-adopted rules.

The designation of a fee as Category D reflects the level at which the fee is implemented or established, not the source of the underlying authority to charge the fee, and does not imply that a rule may exceed or conflict with statute or higher-level governing documents. Any delegation of authority to establish or modify a fee by rule must be express and shall not be implied.

10. Lien and Collection Effects

Any lien rights arise only as expressly authorized by Utah Code § 57-8a-301 or other applicable law. Listing a fee or fine in the Fee Schedule, or adopting this Rule, does not by itself make that amount an assessment or create lien rights. Nothing in this Rule is intended to grant, expand, or imply lien rights for any fee, fine, or other amount except to the extent expressly authorized by statute.

10.1. Assessments

Assessments described in Utah Code § 57-8a-201(1) may give rise to an assessment lien under § 57-8a-301(1)(a)(i).

10.2. Fees, Interest, and Collection Costs

Fees, interest, and collection costs incurred in connection with the collection of an unpaid assessment may be lien-eligible as provided in § 57-8a-301(1)(a)(ii).

10.3. Fines

Fines are lien-eligible under the conditions stated in § 57-8a-301(1)(a)(iii).

11. Amendment and Distribution

11.1. Amendment

This Rule, including the Fee Schedule attached as Exhibit A, may be amended from time to time by the Association in accordance with the Governing Documents and applicable law.

11.2. Charges That Do *Not* Require Amendment

The Association is *not* required to amend the Fee Schedule for:

- Adoption of an annual, special, reserve, or other assessment amount (including annual budget adoption), where:
 - the assessment is authorized by the Declaration or Bylaws and
 - the amount is determined by applying a formula, budget, or allocation method already set forth in a recorded Governing Document; or
- Imposition of any charge that is self-executing, meaning the existence and the amount or method of calculation of the charge are already fully disclosed and fixed by statute or by a recorded Governing Document, and no discretionary Association action is required to establish the amount or method.

11.3. Charges That *Do* Require Amendment

The Association must amend the Fee Schedule and disclose the amendment to lot owners before imposing the charge if the Association:

- establishes a new monetary charge that is not previously disclosed in statute or in a recorded Governing Document; or
- takes discretionary action to establish, set, approve, or modify the amount or method of calculation of a charge, including by adopting or amending a fine schedule, use-fee schedule, late-fee policy, cost-recovery policy, or similar directive, where the amount or method is not already fixed or mechanically determinable by applying a formula, budget, or other objective method set forth in statute or a recorded Governing Document.

In general, amendment is required only when the Association makes a new decision about whether to impose a charge or about how the amount of a charge will be calculated, rather than simply applying an existing charge structure, formula, or allocation method already set forth in statute or the Governing Documents.

11.4. Distribution

Promptly after adoption of any amendment to this Rule or the Fee Schedule, the Association shall deliver or otherwise make available a copy of the amendment to all lot owners in the same manner the Association customarily provides notices or governing-document updates to lot owners.

12. Construction and Severability

This Rule shall be interpreted to comply with applicable law and to avoid the improper or unauthorized charging of fees. If any provision of this Rule is determined to be invalid, the remaining provisions shall continue in effect.

13. Terms

Capitalized terms used in this Rule and not specifically defined herein have the meanings given to them in the Declaration.

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14. Adoption

This Rule was duly adopted by an authorized representative of the Declarant of Liberty Cove Homeowners Association during its Control Period. This Rule is effective as of the date below.

Mike Bastian
Mike Bastian, Declarant Representative

Date: **02/09/2026**

[EXHIBIT A – FEE SCHEDULE FOLLOWS THIS PAGE]

Exhibit A – Fee Schedule

The Fee Schedule consists of the following two components, which together constitute the Association's consolidated Fee Schedule for purposes of this Rule:

1. **Governing-Document Authorized Fee Schedule**, which lists fees and monetary charges that are expressly authorized by the Governing Documents of Liberty Cove Homeowners Association.
2. **Statutorily Authorized Fee Schedule**, which lists fees that are expressly authorized, regulated, or limited by applicable law, including the Utah Community Association Act and other applicable statutes; and

Each component is incorporated herein by reference and adopted as part of this Rule.

Liberty Cove Homeowners Association
Governing-Document Authorized Fee Schedule
 (Utah Community Association Act)

This fee schedule lists fees and monetary charges expressly authorized by the Association's governing documents. Certain charges listed herein are adopted by rule pursuant to Utah Code §§ 57-8a-201(5) and 57-8a-217, while others are disclosed solely for statutory or governing-document transparency.

	Fee	Cite¹	Cat²	For	Amount
1	Regular Assessment	D10.1	C	Common Expenses for a fiscal year.	^a
2	Special Assessment	D10.2	C	Expenses not fully covered by the Regular Assessment.	^b
3	Individual Assessment	D10.3	C	Costs attributable to a particular Dwelling, Owner, or Resident. ^c	Actual costs incurred.
4	Capital Assessment	10.4	C	Capital Improvement.	^d
5	Reserve Assessment	10.5	C	Reserve Fund funding.	^e
6	Reinvestment Fee	10.6	C	Transfer of a Dwelling. ^f	0.5% of the gross sales price.
7	Fines	D10.7.1	C	Violations of the Governing Documents.	^g
8	Closing Fee	D10.7.2	B	Providing Association payoff information for financing, refinancing, or closing of a Dwelling.	^h
9	Setup Fee	D10.7.3	B	Setting up a new Member, Resident, or other party with the Association.	ⁱ
10	Late Payment Fee	D10.7.4	C	Late payment of an amount owed to the Association. ^j	Greater of \$25 or 10%.

¹ "Cite" identifies the specific provision(s) of the Association's governing documents, if any, that authorize or govern the listed fee, including the Declaration ("D") recorded in the Weber County, Utah, Recorder's Office as Entry No. 3364469 on April 9, 2025, and the Bylaws ("B") recorded as Exhibit B to the Declaration. Statutory provisions of the Utah Community Association Act, where applicable, are addressed separately in the endnotes and the Statutorily Authorized Fee Schedule and are not listed in the Cite column.

² "Cat" identifies the fee category assigned under the Rule adopting this fee schedule pursuant to Utah Code § 57-8a-201(5). The category indicates where the fee is fully established and which authority controls for purposes of this schedule: (A) self-executing statutory fees; (B) statutorily permitted or conditioned fees that cannot be charged unless and until the fee is established in a Governing Document; (C) fees created, authorized, and established by the Declaration or Bylaws, subject to statute; and (D) fees created, authorized, or established by rule, to the extent permitted by statute and the Governing Documents. The category is descriptive only and does not itself authorize a fee.

11	Attorney Fees	D10.7.5	C	Enforcement, collection, lien, litigation, and default-related actions. ^k	Actual costs incurred.
12	Board Established Fees	D10.7.6	D	Other reasonable and generally applicable fees established by Rule.	^l
13	Interest	D10.7.7	C	Interest on delinquent amounts owed to the Association. ^m	18% per annum.
14	Statement of Unpaid Assessments Fee	D10.9	A	Owner-requested written statement of unpaid amounts ⁿ	\$10.
15	Collection Costs	D10.10.4	C	Collection of delinquent amounts more than 60 days past due. ^o	Actual costs incurred.
16	Rent Diversion Administrative Fee	D10.10.8	B	Administration of tenant rent diversion for delinquent Assessments.	^p
17	Fine—Second Violation	B11.6.2	C	A second violation of a provision of the Governing Documents. ^q	\$50.
18	Fine—Third Violation	B11.6.3	C	A third violation of a provision of the Governing Documents. ^r	\$100.
19	Fine—Fourth or Subsequent Violation	B11.6.4	C	A fourth or subsequent violation of a provision of the Governing Documents. ^s	\$150.
20	Attorney Costs for Continuing Violation	B11.8	C	Enforcement actions after an unresolved continuing violation through a fourth violation. ^t	Actual costs incurred.
21	Records Copying Fee	B12.2	A	Copies or scans of Association records. ^u	\$0.10/page and \$15/hour, or actual third-party cost.

^a A Regular Assessment is levied against each Dwelling for each fiscal year in an amount no less than the total estimated Common Expenses of the Association for that fiscal year, with each Dwelling assessed an equal share, as authorized by Declaration § 10.1. The Regular Assessment is payable to the Association in monthly installments as Association dues. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^b A Special Assessment may be levied by the Board from time to time for the purpose of defraying, in whole or in part, expenses not reasonably capable of being fully paid from the Regular Assessment or, where appropriate, the Insurance Fund or the Reserve Fund, including expenses related to emergencies, but excluding Capital Improvements, as authorized by Declaration § 10.2. Each Dwelling is assessed an equal share of any Special Assessment. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^c An Individual Assessment may be levied by the Board against a particular Dwelling, Owner, and/or Resident for damage to the Project caused by the Owner or Resident, a member of their household, or a guest, or for expenses incurred by the Association for maintenance, repairs, or enforcement of the Governing Documents, and for services reasonably provided to, or reasonable expenses incurred in relation to, a Dwelling due to an Owner's or Resident's failure to maintain the Dwelling, including emergency repairs necessary to protect other Dwellings, Owners, Residents, the Common Area, or Limited Common Area, as authorized by Declaration § 10.3. The amount of an Individual Assessment is determined by the actual costs of such damage, maintenance, repairs, enforcement, services, or expenses and includes all overhead and administrative costs, reasonable attorney fees, and other related costs. An Individual Assessment may be levied in advance based on a reasonable estimate of the anticipated work, and any estimated amount paid in excess of the actual costs shall be timely refunded, while any actual costs incurred by the Association in excess of the estimate shall be additionally assessed. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^d A Capital Assessment may be levied by the Board upon obtaining the assenting vote of at least sixty-seven percent (67%) of the membership of the Association, as authorized by Declaration § 10.4. Each Dwelling is assessed an equal share of any Capital Assessment. Each Capital Assessment must be allocated to a particular Capital Improvement prior to submission for membership approval and shall remain allocated to that same Capital Improvement after approval, and additional membership approval is required to cancel or to substantively expand, reduce, or modify the cost or nature of the Capital Improvement. Any balance remaining after completion or cancellation of the Capital Improvement shall be refunded to the membership in the same proportion in which it was assessed. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^e A Reserve Assessment is levied by the Association in each fiscal year as a component of the Regular Assessment in an amount sufficient to fund the Reserve Fund at a level of one hundred percent (100%), including inflation adjustments, as established and scheduled by the most recently performed reserve study, as authorized by Declaration § 10.5. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^f A Reinvestment Fee is imposed upon the transfer of a Dwelling in an amount equal to 0.5% of the gross sales price, as authorized by the Declaration. A Notice of Reinvestment Fee Covenant complying with applicable law has been recorded in the Weber County Recorder's Office as Entry No. 3364469 on April 9, 2025, which satisfies the statutory condition precedent to the imposition and collection of this fee. Accordingly, the Reinvestment Fee is due and payable upon each transfer of a Dwelling, subject to applicable law. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^g Fines may be imposed by the Association against Dwellings, Owners, and/or Residents for violations of the Governing Documents in accordance with the procedures and conditions described in Utah Code § 57-8a-208, as authorized by Declaration § 10.7.1 and as further provided in the Bylaws. Fines arise pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^h A Closing Fee is authorized by Declaration § 10.7.2 but is not currently imposed because the governing documents do not establish a specific amount and instead limit the fee to an amount not to exceed fifty dollars (\$50). Accordingly, no Closing Fee may be charged unless and until the Board adopts a Rule or other implementing instrument establishing the applicable amount. If implemented, the Association may not impose this charge in excess of or inconsistent with Utah Code § 57-8a-106 (Payoff Fee), as reflected in the Statutorily Authorized Fee Schedule.

ⁱ A Setup Fee is authorized by Declaration § 10.7.3 but is not currently imposed because the governing documents do not establish a specific amount and instead limit the fee to an amount not to exceed two hundred fifty dollars (\$250). Accordingly, no Setup Fee may be charged unless and until the Board adopts a Rule or other implementing instrument establishing the applicable amount.

^j A Late Payment Fee may be charged on any delinquent amount owed to the Association in an amount equal to twenty-five dollars (\$25) or ten percent (10%) of the delinquent amount, whichever is greater, as authorized by Declaration § 10.7.4. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^k Attorney Fees may be recovered by the Association, together with administrative costs and other related costs, in connection with an actual default or violation of the Governing Documents, including costs incurred for obtaining legal advice, collecting unpaid assessments or other delinquent amounts, filing and prosecuting lawsuits or other legal actions (including mediation and arbitration), participating in bankruptcy proceedings, and preparing, noticing, recording, securing, foreclosing, or otherwise enforcing a lien against a Dwelling, as authorized by Declaration § 10.7.5. This recovery authority is to be broadly construed and applies both during and after membership or residency in the Association. In addition, in any action brought in relation to the Project, the Association, or the Governing Documents, the prevailing party may recover reasonable attorneys' fees and related costs from the non-prevailing party, which shall be jointly and severally liable, as further authorized by Declaration § 10.7.5. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^l Board Established Fees are authorized but not currently imposed. Declaration § 10.7.6 authorizes the Board to establish other reasonable and generally applicable fees using the rulemaking procedures provided in the Bylaws, but does not establish the type, amount, rate, trigger, or mechanics of any such fee. Accordingly, no Board-Established Fee may be charged unless and until the Board adopts a Rule establishing the specific fee and its applicable terms in compliance with Utah Code §§ 57-8a-201 and 57-8a-217. Any fee established pursuant to this authority that is inconsistent with applicable law or the Governing Documents is void and unenforceable.

^m Interest may accrue on all delinquent amounts due to the Association at a rate of eighteen percent (18%) per annum, as authorized by Declaration § 10.7.7. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

ⁿ A Statement of Unpaid Assessments Fee may be charged in connection with an Owner's written request for a written statement of any unpaid assessments or other amounts due and payable, as authorized by Utah Code § 57-8a-206. Declaration § 10.9 implements this statutory written-statement fee by fixing the fee amount at ten dollars (\$10) in the Association's recorded governing documents. This charge is a self-executing statutory fee and is reflected as Written Statement Fee-Assessment (Fee No. 6) in the Statutorily Authorized Fees Schedule. Written statements issued in a collection context are governed exclusively by Utah Code § 57-8a-311 and are reflected separately as Written Statement Fee-Collection (Fee No. 12) in the Statutorily Authorized Fees Schedule, and are not subject to this fee. This charge arises pursuant to statute and a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^o Collection Costs may be recovered by the Association in connection with amounts owed under the Governing Documents that are delinquent for more than sixty (60) days, including delinquent assessments, fees, and accrued interest, as authorized by Declaration § 10.10.4. Such recovery may include all related costs and fees incurred in connection with collection activities, whether performed by the Association or by a third-party agent, including administrative fees, attorney fees, court costs, filing fees, and other legal or collection-related costs, including any percentage-based collection fee permitted by law. This recovery obligation applies both during and after membership or residency in the Association. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^p A Rent Diversion Administrative Fee is authorized by Declaration § 10.10.8 but is not currently imposed because the governing documents do not establish a specific amount and instead limit the fee to an amount not to exceed twenty-five dollars (\$25) for costs of administration associated with processing tenant rent payments. Accordingly, no Rent Diversion Administrative Fee may be charged unless and until the Board adopts a Rule or other implementing instrument selecting an applicable amount in compliance with Utah Code §§ 57-8a-201 and 57-8a-217. If implemented, the Association may not impose this charge in excess of or inconsistent with Utah Code § 57-8a-310(7) (Tenant Rent Diversion Administrative Fee), as reflected in the Statutorily Authorized Fee Schedule.

^q A Fine-Second Violation may be assessed in the amount of fifty dollars (\$50) if a first violation is not timely resolved or if a second similar violation occurs within one (1) year of the first violation, as provided in Bylaws § 11.6.2, and may be imposed only in accordance with Utah Code § 57-8a-208. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217. The Board may increase the amount of the Fine-Second Violation by Resolution as authorized by Bylaws § 11.7; however, any such increase may be imposed only if and after the Board adopts the Resolution in compliance with Utah Code §§ 57-8a-201 and 57-8a-217.

^r A Fine–Third Violation may be assessed in the amount of one hundred dollars (\$100) if a second violation is not timely resolved or if a third similar violation occurs within one (1) year of the second violation, as provided in Bylaws § 11.6.3, and may be imposed only in accordance with Utah Code § 57-8a-208. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217. If the amount of the Fine–Second Violation is increased by Board Resolution pursuant to Bylaws § 11.7, the amount of the Fine–Third Violation shall be increased by the same percentage, subject to adoption in compliance with Utah Code §§ 57-8a-201 and 57-8a-217, and imposition in compliance with Utah Code § 57-8a-208.

^s A Fine–Fourth or Subsequent Violation may be assessed in the amount of one hundred fifty dollars (\$150) if a third violation is not timely resolved or if a fourth or subsequent similar violation occurs within one (1) year of the third violation, as provided in Bylaws § 11.6.4, and may be imposed only in accordance with Utah Code § 57-8a-208. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217. If the amount of the Fine–Second Violation is increased by Board Resolution pursuant to Bylaws § 11.7, the amount of the Fine–Fourth or Subsequent Violation shall be increased by the same percentage, subject to adoption in compliance with Utah Code §§ 57-8a-201 and 57-8a-217, and imposition in compliance with Utah Code § 57-8a-208.

^t Attorney Costs for a Continuing Violation may be recovered by the Association if a violation continues unresolved through a fourth violation—meaning a violation that results in an initial notice of violation and continues unresolved and/or is repeated for three subsequent notices of fine—at which point the Association may submit the violation to an attorney for further resolution, as authorized by Bylaws § 11.8. In that event, the Owner of the Unit and, as applicable, the Resident of the Unit are jointly and severally liable for all costs related to submission to an attorney for resolution, including collection costs. Any recovery of attorney fees and related costs pursuant to this provision shall be imposed in accordance with Utah Code § 57-8a-208. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

^u A Records Copying Fee may be charged in connection with an Owner’s written request for copies or electronic scans of Association records, as authorized by Utah Code § 57-8a-227(4). Bylaws § 12.2 implements this statutory records-access fee by fixing the Association’s internal charges at ten cents (\$0.10) per page for copies and fifteen dollars (\$15.00) per hour for the time of the Association’s employee, manager, or other agent, within the limits permitted by statute. If copies or scans are produced by a recognized third-party duplicating service, the Owner is responsible only for the actual cost charged by the third-party provider. This charge is a self-executing statutory fee and is reflected as Records Copying Fee (Fee No. 9) in the Statutorily Authorized Fees Schedule. The Association may not charge for electronic transmission of records, and any adjustment of charges must remain within the statutory limits. This charge arises pursuant to statute and a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

Utah Community Association Act Statutorily Authorized Fee Schedule

This fee schedule lists fees and monetary charges that are expressly authorized or regulated under the Utah Community Association Act as of December 2025. The schedule is provided solely for statutory disclosure and reference, does not itself create, adopt, or impose any fee, and does not imply that any listed charge is required to be adopted by rule under Utah Code § 57-8a-201(5). The schedule is provided in connection with an association's fee-schedule obligations under Utah Code §§ 57-8a-201 and 57-8a-217.

	Fee	Cite ¹	Cat ²	For	Amount
1	Assessments	102(1); 201(1)-(3)	C	Common expenses and other assessments levied by the HOA.	^a
2	Payoff Fee	106	B	Association payoff information at closing. ^b	Up to \$50.
3	Lot Plan Review Fee	109	A	Review of HOA-required lot plans and application. ^c	Actual costs incurred.
4	Late Fee	201(4)(a)	B	Late payment of amount due. ^d	Greater of 10% or \$50.
5	Interest	201(4)(b)	B	Interest on delinquent assessment and late fee. ^e	Up to 1.5%/mo.
6	Written Statement Fee—Assessment	206(1)	A	Owner-requested written statement of unpaid assessments. ^f	Up to \$10.
7	Fines for Violations	208	B	Governing-document violations.	^g
8	Rental Lot Fee	209(9)(c)	B	Rental-lot administrative cost recovery. ^h	Up to \$200/yr.
9	Records Copying Fee	227(4)(b)	A	Copies or scans of association records produced by the association. ⁱ	\$0.10/page and up to \$20/hr, or actual third-party cost.
10	Utility Reinstatement Fee	309(8)	B	Reinstating utility service terminated for delinquency. ^j	Actual costs incurred.

¹ “Cite” identifies the specific provision(s) of the Utah Community Association Act that authorize, regulate, limit, or otherwise govern the listed fee. The cited statute may independently authorize the fee, prescribe its amount or method of calculation, impose mandatory conditions or caps, or restrict fees otherwise permitted by an association's governing documents.

² “Cat” identifies the fee category assigned under the Rule adopting this fee schedule pursuant to Utah Code § 57-8a-201(5). The category indicates where the fee is fully established and which authority controls for purposes of this schedule: (A) self-executing statutory fees; (B) statutorily permitted or conditioned fees that cannot be charged unless and until the fee is established in an association's governing document; (C) fees created, authorized, and established by the association's declaration or bylaws, subject to statute; and (D) fees created, authorized, or established by association rule, to the extent permitted by statute and the association's governing documents. The assigned category is descriptive only and governs statutory hierarchy and conflict resolution under Utah Code § 57-8a-228.

11	Rent Diversion Fee	310(7)	B	Administration of tenant rent diversion for delinquent owner. ^k	Up to \$25.
12	Written Statement Fee—Collection	311(1)	A	Written statement of unpaid assessments for collection. ^l	Up to \$25.
13	Solar Plan Review Fee	701(4)(b)	A	Review of HOA-required solar installation plans and application. ^m	Actual costs incurred.
14	EV Charger Plan Review Fee	802(2)(d)	A	Review of HOA-required electric vehicle (EV) charger installation plans and application. ⁿ	Actual costs incurred.
15	Reinvestment Fee	Utah Code § 57-1-46	B	Transfer of a lot. ^o	Up to 0.5% of the gross sales price.

^a Assessments consist of charges imposed or levied by the association on or against a lot or a lot owner, including the owner's proportionate share of common expenses and any other assessments levied by the association, as determined by the board only in accordance with the declaration or bylaws (including the annual budget), and constitute a debt of the owner at the time levied under Utah Code § 57-8a-201(1)–(3) and as defined in Utah Code § 57-8a-102(1). Assessments are not “fees” for purposes of Utah Code § 57-8a-201(5), even though they constitute “assessments” as defined by statute. Their inclusion in this schedule is solely for disclosure and transparency and does not create, authorize, condition, or limit the levy, collection, or enforceability of assessments, which arise independently under the governing documents and Utah Code § 57-8a-201(1)–(3).

^b A Payoff Fee under Utah Code § 57-8a-106 may be charged only if and after the fee is specifically authorized in the association's declaration, bylaws, or duly adopted rules, and only in connection with providing association payoff information needed for the financing, refinancing, or closing of a lot owner's sale of the owner's lot. Any authorized Payoff Fee may not be required to be paid before closing and may not exceed fifty dollars (\$50). If the association fails to provide the requested payoff information within five business days after a written request is properly submitted by a closing agent in compliance with Utah Code § 57-8a-106(3), the association may not enforce a lien against the lot for amounts due at closing. These statutory limitations apply regardless of when the association was formed and displace any inconsistent governing-document provision.

^c A Lot Plan Review Fee under Utah Code § 57-8a-109 may be charged when a lot owner submits lot plans that are required by the association's governing documents to be approved by the association. The fee is limited, on a review-by-review basis, to the reasonable, actual costs incurred by the association to review the lot plans for compliance with the governing documents, whether the plans are approved or denied. If the association denies a lot plan, it must provide the written notice required by Utah Code § 57-8a-109(4). The statute itself authorizes this fee and prescribes its method of calculation, and the association may charge it upon submission of the lot plans without any board vote, rule adoption, resolution, or other formal action, provided that the association applies existing governing-document review standards and charges no more than its reasonable, actual costs. No flat, preset, or revenue-generating plan review fee is authorized, and the existence of governmental permitting or inspection requirements alone does not authorize a Lot Plan Review Fee.

^d A Late Fee charged under Utah Code § 57-8a-201(4)(a) may be imposed only for the late payment of an assessment, as defined in Utah Code § 57-8a-102(1), including common expenses and other assessments levied by the association, after the assessment has become past due under the declaration or bylaws. The Late Fee may not exceed the greater of ten percent (10%) of the delinquent assessment amount or fifty dollars (\$50). The statute authorizes, but does not require, the imposition of a Late Fee, and the determination of whether to impose the Late Fee and when an assessment is deemed late is governed by the governing documents, subject to the statutory cap reflected in this fee schedule.

^e Interest charged under Utah Code § 57-8a-201(4)(b) may be imposed only on a delinquent assessment, as defined in Utah Code § 57-8a-102(1), and on any properly imposed Late Fee, after the assessment has become past due under the declaration or bylaws. The interest rate may not exceed one and one-half percent (1.5%) per month. The statute authorizes, but does not require, the imposition of Interest, and the determination of whether to impose Interest and when an assessment becomes delinquent is governed by the governing documents, subject to the statutory cap reflected in this fee schedule.

^f A Written Statement Fee—Assessment under Utah Code § 57-8a-206 may be charged only in connection with a lot owner's written request for a statement of unpaid assessments. Upon receipt of a proper written request, the manager or board is required by statute to issue the written statement and may charge a reasonable fee not to exceed ten dollars (\$10). The written statement is binding in favor of any person who relies in good faith on the statement, and if the association fails to provide the statement within ten (10) days after the request, any unpaid assessment that became due before the request is subordinated to the requester's lien, as provided in Utah Code § 57-8a-206(2). Statements issued in a collection context are governed exclusively by Utah Code § 57-8a-311 and are subject to a separate statutory fee and fee cap, as reflected in this fee schedule.

^g Fines for violations charged under Utah Code § 57-8a-208 may be assessed only for a violation of a rule, covenant, condition, or restriction contained in the association's governing documents, and only in amounts authorized by those governing documents. Before assessing a fine, the board must comply with the warning, cure, notice, hearing, and appeal procedures set forth in Utah Code § 57-8a-208. All fines remain subject to the lien limitations of Utah Code § 57-8a-301(1)(a)(iii), regardless of whether fines are classified as assessments in the governing documents.

^h A Rental Lot Fee under Utah Code § 57-8a-209(9)(c) may be charged only if and after the fee is specifically authorized in the association's declaration, bylaws, or duly adopted rules, and only if the association permits at least thirty-five percent (35%) of the lots to be rental lots and elects to impose the fee in compliance with statute. The fee may be charged only to owners of rental lots and may not exceed two hundred dollars (\$200) in any twelve-month period. The fee must be limited to reasonable administrative expenses actually incurred by the association and directly attributable, on a lot-by-lot basis, to a lot's rental status, as detailed in a written notice. Before charging the fee, the association must satisfy the procedural conditions precedent set forth in Utah Code § 57-8a-209(9)(e), and if the required notice is not provided or is deficient, the fee must be waived upon request as required by Utah Code § 57-8a-209(13). These statutory requirements apply regardless of when the association was formed and displace any inconsistent governing-document provision.

ⁱ A Records Copying Fee under Utah Code § 57-8a-227(4)(b) may be charged when a lot owner requests copies or electronic scans of association records and elects that the association produce the copies or scans. If copies or scans are produced by a recognized third-party duplicating service, the fee may not exceed the actual cost paid to the duplicating service. If produced internally by the association, the fee may not exceed ten cents (\$0.10) per page and twenty dollars (\$20) per hour for the time spent by the association's employee, manager, or agent making the copies or scans, and the association may not charge for electronic transmission of documents as prohibited by Utah Code § 57-8a-227(4)(b)(iii). The statute itself authorizes this fee and prescribes its method of calculation, and the association may charge it upon receipt of a proper written request without any board vote, rule adoption, resolution, or other formal action.

^j A Utility Reinstatement Fee under Utah Code § 57-8a-309(8) may be charged only if and after the fee is specifically authorized in the association's declaration, bylaws, or duly adopted rules, and only if the association has lawfully terminated a lot owner's utility service for nonpayment in compliance with Utah Code § 57-8a-309. The fee may be charged only in connection with reinstating a utility service that the association has terminated under statute and is limited to the actual cost incurred by the association to reinstate that service. The association may require payment of the estimated reinstatement cost before restoring service only if the estimate was included in the delinquency notice provided under Utah Code § 57-8a-309(3). No flat, preset, or revenue-generating reinstatement fee is authorized.

^k A Rent Diversion Fee under Utah Code § 57-8a-310(7) may be charged only if and after the fee is specifically authorized in the association's declaration, bylaws, or duly adopted rules, and only if the association lawfully requires a tenant to remit lease payments to the association due to a lot owner's failure to pay assessments for more than sixty (60) days, in compliance with Utah Code § 57-8a-310. The fee may be charged only in connection with the administration of the tenant rent diversion process and is limited to the association's actual cost of administration, not to exceed twenty-five dollars (\$25). The fee may be collected only from lease payments received from the tenant under Utah Code § 57-8a-310 and only after the association has complied with all statutory notice, timing, and procedural requirements governing rent diversion. No flat, preset, or revenue-generating rent diversion fee is authorized.

^l A Written Statement Fee—Collection under Utah Code § 57-8a-311 may be charged only when a written statement of unpaid assessments is issued in a collection context upon a lot owner's written request. Upon receipt of a proper written request, the manager or board is required by statute to issue the written statement and may charge a reasonable fee not to exceed twenty-five dollars (\$25). A written statement issued under Utah Code § 57-8a-311 is conclusive in favor of any person who relies on the statement in good faith. Although the written statement is substantively similar to the statement described in Utah Code § 57-8a-206, § 57-8a-311 governs statements issued in a collection context and permits a higher fee cap, and requests made outside a collection context remain subject to Utah Code § 57-8a-206 and its lower fee limit, as reflected in this fee schedule.

^m A Solar Plan Review Fee under Utah Code § 57-8a-701(4)(b) may be charged when a lot owner submits an application to install a solar energy system that is subject to association review under statute. The fee is limited, on a review-by-review basis, to the reasonable, actual costs incurred by the association to review the application for compliance with the governing documents and applicable requirements, whether the application is approved or denied. The statute itself authorizes this fee and prescribes its method of calculation, and the association may charge it upon submission of a proper application without any board vote, rule adoption, resolution, or other formal action, provided that the association applies existing review standards and charges no more than its reasonable, actual costs. No flat, preset, or revenue-generating plan review fee is authorized, and the existence of governmental permitting or inspection requirements alone does not authorize a Solar Plan Review Fee.

ⁿ An EV Charger Plan Review Fee under Utah Code § 57-8a-802(2)(d) may be charged when a lot owner submits an application to install an electric vehicle charging system that is subject to association review and permitting under statute. The fee is limited, on a review-by-review basis, to the reasonable, actual costs incurred by the association to review the application for compliance with the governing documents and applicable requirements, whether the application is approved or denied. The statute itself authorizes this fee and prescribes its method of calculation, and the association may charge it upon submission of a proper application without any board vote, rule adoption, resolution, or other formal action, provided that the association applies existing review standards and charges no more than its reasonable, actual costs. No flat, preset, or revenue-generating plan review fee is authorized, and the existence of governmental permitting or inspection requirements alone does not authorize an EV Charger Plan Review Fee.

^o A Reinvestment Fee under Utah Code § 57-1-46 may be charged only if and after the obligation is authorized by a recorded governing document that complies with the governing-document hierarchy set forth in Utah Code § 57-8a-228(5), a separate, compliant notice of reinvestment fee covenant has been recorded as required by § 57-1-46, and the member approval and voting requirements of § 57-1-46(10)–(12) have been satisfied. For reinvestment fee covenants recorded on or after March 16, 2010, the fee may not exceed 0.5% of the value of the burdened property unless the burdened property is part of a large master planned development, as defined in § 57-1-46. A Reinvestment Fee is a covenant-based transfer obligation that runs with the land and is triggered by a transfer of the lot; it is not a fee adopted, established, or imposed by the board under § 57-8a-201 and is not subject to adoption by rule under § 57-8a-217. The enforceability, amount, purpose, duration, and amendment or removal of a reinvestment fee are governed exclusively by the recorded reinvestment fee covenant, the separately recorded statutory notice, and § 57-1-46, and any inconsistent governing-document provision or board action is displaced.