

**The Cove at Hyde Park 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 **The Cove at Hyde Park 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. Although the Association has attached a Statutorily Authorized Fee Schedule as part of Exhibit A for disclosure and reference, the omission, misdescription, or later statutory revision of any such amount in the schedule does not waive, limit, or impair any charge the Association is otherwise authorized to impose, collect, or enforce under applicable law. Any such amount remains governed by the applicable statute and may be charged, collected, or enforced only in compliance with that statute.

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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**II. Adoption**

This Rule was duly adopted by the Board of Directors of The Cove at Hyde Park Homeowners Association in accordance with Utah Code §§ 57-8a-217. This Rule is effective as of the date the last director below signed this written consent.

Cheryl C. Atwood  
Cheryl Atwood, Director

Date: 5/20/26

Steve Lucherial  
Steve Lucherial, Director

Date: 5/20/26

Sandy Naylor  
Sandy Naylor, Director

Date: 5/20/26

Jen Quayle  
Jen Quayle, Director

Date: 5/20/26

Mike Tremayne  
Mike Tremayne, Director

Date: 5-20-26

**[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 The Cove at Hyde Park 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.

**The Cove at Hyde Park 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.

	<b>Fee</b>	<b>Cite<sup>1</sup></b>	<b>Cat<sup>2</sup></b>	<b>For</b>	<b>Amount</b>
1	Annual Assessment	D5.5	C	Common expenses and operation of the Association.	<sup>a</sup>
2	Special Assessment	D5.7	C	Expenses not reasonably capable of being fully paid with Annual Assessments; Common Area construction, reconstruction, unexpected repair, or replacement.	<sup>b</sup>
3	Individual Assessment	D3.4; D5.8; D7.4; D7.5; D10.2	C	Enforcement costs, owner-caused costs, owner-requested services or improvements, plan-review costs, and other specially allocated charges. <sup>c</sup>	Actual costs incurred.
4	Certificate Regarding Payment	D5.12	--	Written statement or certificate regarding whether assessments are current and, if not, the amount of delinquency.	<sup>d</sup>
5	Late Fee	D5.16	C	Late payment of an assessment. <sup>e</sup>	\$25 per month.
6	Interest	D5.16	C	Interest on unpaid assessment balances. <sup>f</sup>	18% per annum.
7	Tax Reimbursement Assessment	D5.20	C	Owner’s pro rata share of property taxes paid on Common Areas. <sup>g</sup>	Pro rata share paid.

<sup>1</sup> “Cite” identifies the specific provision(s) of the Association’s governing documents, if any, that authorize or govern the listed fees, including the Declaration (“D”) recorded in the Cache County, Utah, Recorder’s Office as Entry No. 1204253 on September 17, 2018, and the Bylaws (“B”) recorded as Exhibit B of 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.

<sup>2</sup> “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.

8	Reinvestment Fee	D5.21; Resolution	D	Transfer of a Lot. <sup>h</sup>	0.5% of the gross sales price.
9	Account Payoff Fee	D5.22	C	Association payoff information for financing, refinancing, or closing of sale. <sup>i</sup>	\$50.
10	Plan Review Fee	D10.2	--	Review of plans, specifications, or solar application materials.	<sup>j</sup>
11	Parking Cleanup Charge	Parking Policy § 9	D	Cleanup of oil, grease, or other fluid leaks and residues. <sup>k</sup>	Actual costs incurred.
12	Towing Charge	Parking Policy § 12	D	Towing of a vehicle in violation of parking rules. <sup>l</sup>	Amount charged by towing provider.
13	Administrative Fee	D6.4(5); Fine Schedule	--	A violation of a provision of the Governing Documents.	<sup>m</sup>
14	Fine—Second Violation	D6.4(5); Fine Schedule	D	A second violation of a provision of the Governing Documents. <sup>n</sup>	\$50.
15	Fine—Third Violation	D6.4(5); Fine Schedule	D	A third violation of a provision of the Governing Documents. <sup>o</sup>	\$100.
16	Fine—Fourth Violation	D6.4(5); Fine Schedule	D	A fourth violation of a provision of the Governing Documents. <sup>p</sup>	\$200.
17	Fine—Fifth or Subsequent Violation	D6.4(5); Fine Schedule	D	A fifth or subsequent violation of a provision of the Governing Documents. <sup>q</sup>	\$250.

<sup>a</sup> An Annual Assessment is levied against each Lot for Common Expenses and for the administration, management, operation, and maintenance of the Association and the Common Areas. Declaration §§ 5.1, 5.3, and 5.5 authorize the Association to levy this assessment. The amount is determined at least annually through adoption of or revision to the Association's budget. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

<sup>b</sup> A Special Assessment may be levied against each Lot for expenses not reasonably capable of being fully paid with funds generated by Annual Assessments, including the cost of construction, reconstruction, unexpected repair, or replacement of Common Areas, or other expenses incurred or to be incurred, as provided in the Declaration. Declaration § 5.7 authorizes the Association to levy this assessment and requires approval by a majority of the Members present in person or by proxy at a duly called meeting for Special Assessments over \$500 in a calendar year. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

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<sup>c</sup> An Individual Assessment may be levied against a particular Lot and Owner for administrative costs and enforcement expenses, owner-caused Common Area maintenance, repair, or replacement costs, charges designated as Individual Assessments in the Governing Documents or by the Board, nonpayment of a Reinvestment Fee, owner-requested services, attorney fees, court costs, collection costs, plan-review costs, and certain specially benefited improvements requested by the Owner. Declaration §§ 3.4, 5.8, 7.4, 7.5, and 10.2 authorize the Association to levy this assessment. The amount is limited to the actual costs incurred, including administrative and enforcement-related expenses. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

<sup>d</sup> A fee for a Certificate Regarding Payment may not be charged as set forth in the governing documents. Although Declaration § 5.12 authorizes the issuance, upon the request of an Owner, prospective purchaser, mortgagee, or encumbrancer of a Lot, of a certificate stating whether or not all Assessments respecting such Lot are current and, if not, the amount of the delinquency, any fee associated with such a certificate is governed exclusively by Utah Code §§ 57-8a-206 and 57-8a-311. Accordingly, the Association may charge only the statutorily authorized Written Statement Fee—Assessment (Fee No. 6) and Written Statement Fee—Collection (Fee No. 12), and only in the form, manner, and amount permitted by those statutes, as reflected in the Statutorily Authorized Fee Schedule.

<sup>e</sup> A Late Fee is charged for the late payment of an assessment after the assessment becomes delinquent under the Declaration. Declaration §§ 5.15 and 5.16 provide that assessments are delinquent if received more than ten (10) days after they become due and, if the Association has not otherwise adopted or established billing and collection procedures in the Rules, delinquent accounts shall be charged a twenty-five dollar (\$25.00) late fee each month until the Owner's account (including all collection charges, costs, and attorneys' fees) is paid in full. This default charge arises pursuant to a recorded governing document. If the Association later adopts a different Rule-based late-fee amount, that Rule-based amount may not exceed or otherwise be inconsistent with Utah Code § 57-8a-201(4)(a) (Fee No. 4, Late Fee), as reflected in the Statutorily Authorized Fee Schedule, and may not be charged unless adopted and disclosed in accordance with Utah Code §§ 57-8a-201(5) and 57-8a-217.

<sup>f</sup> Interest accrues on unpaid delinquent assessment balances after the assessment becomes delinquent under the Declaration. Declaration §§ 5.15 and 5.16 provide that assessments become delinquent if received more than ten (10) days after they become due and, if the Association has not otherwise adopted or established billing and collection procedures in the Rules, interest shall accrue on all unpaid balances at the rate of eighteen percent (18%) per annum. This default charge arises pursuant to a recorded governing document. If the Association later adopts a different Rule-based interest rate, that Rule-based rate may not exceed or otherwise be inconsistent with Utah Code § 57-8a-201(4)(b) (Fee No. 5, Interest), as reflected in the Statutorily Authorized Fee Schedule, and may not be charged unless adopted and disclosed in accordance with Utah Code §§ 57-8a-201(5) and 57-8a-217.

<sup>g</sup> A Tax Reimbursement Assessment is levied against each Owner for the Owner's pro rata share of property taxes paid by the Association on Common Areas. Declaration § 5.20 requires each Owner to reimburse the Association for that pro rata share and authorizes Cache County to collect the share directly by inclusion with the tax levied on each Lot. This charge arises pursuant to a recorded governing document and is not subject to Utah Code §§ 57-8a-201 or 57-8a-217.

<sup>h</sup> A Reinvestment Fee may be charged only upon a transfer of a Lot, other than a transfer exempted by Declaration § 5.21 or Utah Code § 57-1-46. Declaration § 5.21 authorizes the Board to establish the fee by Rule, requires the fee to be paid by the Transferee at the time of the Transfer, and provides that it will be treated as an Individual Assessment for collection purposes. A compliant Notice of Reinvestment Fee Covenant was recorded in Cache County as Entry No. 1204254 on September 17, 2018, and the Board's September 17, 2018 resolution, effective September 17, 2018, set the fee at one-half of one percent (0.5%) of the sales price.

<sup>i</sup> An Account Payoff Fee may be charged only in connection with providing Association payoff information needed for financing, refinancing, or closing of the sale of a Lot. Declaration § 5.22 authorizes the Association to charge this fee and states that the amount is \$50 or as otherwise established in the Rules. Although Declaration § 5.22 also states that additional paperwork required in a private sale between an Owner and purchaser may be obtained from the Association and may incur additional fees, that clause does not itself establish a separate fee amount or independently authorize charges in excess of or inconsistent with Utah Code § 57-8a-106 (Payoff Fee). Accordingly, the Association may not impose an Account Payoff Fee in excess of the \$50 cap reflected for the Payoff Fee (Fee No. 2) in the Statutorily Authorized Fee Schedule.

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<sup>j</sup> A Plan Review Fee may not be charged as set forth in the governing documents. Although Declaration § 10.2 provides that costs incurred by the Association in reviewing plans, specifications, or the like shall be assessed against the requesting Owner as an Individual Assessment and further states that the Association may establish a reasonable fee for reviewing plans and specifications, any fee associated with such review is chargeable only as provided by statute, depending on the nature of the plans submitted. Accordingly, the Association may charge only the statutorily authorized Lot Plan Review Fee (Fee No. 3), Solar Plan Review Fee (Fee No. 13), and/or EV Charger Plan Review Fee (Fee No. 14), as authorized by Utah Code §§ 57-8a-109, 57-8a-701(4)(b), and 57-8a-802(2)(d), respectively, and only in the form, manner, and amount permitted by those statutes, as reflected in the Statutorily Authorized Fee Schedule.

<sup>k</sup> A Parking Cleanup Charge may be charged only when the Association incurs cleanup charges due to oil, grease, or other fluid leaks or residues from a resident's vehicle. The Association's May 2021 Parking Policy, § 9, makes residents responsible for charges incurred by the Association to clean and safely remove those conditions. This charge is established at the rule level and is limited to the actual charges incurred by the Association.

<sup>l</sup> A Towing Charge may be charged only when a vehicle is towed for violation of the Association's parking rules. The Association's May 2021 Parking Policy, § 12, provides that a vehicle in violation is subject to towing without additional notice at the vehicle owner's sole expense. This charge is established at the rule level and is limited to the amount charged by the towing provider.

<sup>m</sup> An Administrative Fee may not be charged as set forth in the governing documents. Although the Association's March 2021 Fine Schedule states that each violation is also subject to a \$20 administrative fee, Declaration § 6.4(5) authorizes only fines for violations of the Governing Documents, and Utah Code § 57-8a-208 authorizes the assessment of fines for violations subject to the warning, cure, hearing, and appeal requirements of that section. Neither the Declaration nor Utah Code § 57-8a-208 independently authorizes a separate administrative fee merely for issuing a notice of violation, warning, or fine notice. Accordingly, no Administrative Fee may be charged or collected as a separate violation-related fee.

<sup>n</sup> A Fine—Second Violation may be charged only for a second violation of a provision of the Governing Documents, within the applicable time periods and under the conditions described in Utah Code § 57-8a-208, in the amount of \$50 as authorized by the Association's March 2021 Fine Schedule. Declaration § 6.4(3) authorizes the Board to establish, promulgate, amend, and repeal Rules governing the conduct of persons and the operation and use of the Association, and Declaration § 6.4(5) authorizes the Association to levy fines as a means of enforcing the provisions of the Governing Documents. Any change in the fine amount that the Board proposes to impose may not be imposed unless and until the updated amount is listed in this fee schedule adopted and distributed by Rule in accordance with Utah Code §§ 57-8a-201(5) and 57-8a-217.

<sup>o</sup> A Fine—Third Violation may be charged only for a third violation of a provision of the Governing Documents, within the applicable time periods and under the conditions described in Utah Code § 57-8a-208, in the amount of \$100 as authorized by the Association's March 2021 Fine Schedule. Declaration § 6.4(3) authorizes the Board to establish, promulgate, amend, and repeal Rules governing the conduct of persons and the operation and use of the Association, and Declaration § 6.4(5) authorizes the Association to levy fines as a means of enforcing the provisions of the Governing Documents. Any change in the fine amount that the Board proposes to impose may not be imposed unless and until the updated amount is listed in this fee schedule adopted and distributed by Rule in accordance with Utah Code §§ 57-8a-201(5) and 57-8a-217.

<sup>p</sup> A Fine—Fourth Violation may be charged only for a fourth violation of a provision of the Governing Documents, within the applicable time periods and under the conditions described in Utah Code § 57-8a-208, in the amount of \$200 as authorized by the Association's March 2021 Fine Schedule. Declaration § 6.4(3) authorizes the Board to establish, promulgate, amend, and repeal Rules governing the conduct of persons and the operation and use of the Association, and Declaration § 6.4(5) authorizes the Association to levy fines as a means of enforcing the provisions of the Governing Documents. Any change in the fine amount that the Board proposes to impose may not be imposed unless and until the updated amount is listed in this fee schedule adopted and distributed by Rule in accordance with Utah Code §§ 57-8a-201(5) and 57-8a-217.

<sup>q</sup> A Fine—Fifth or Subsequent Violation may be charged only for a fifth or additional violation of a provision of the Governing Documents, within the applicable time periods and under the conditions described in Utah Code § 57-8a-208, in the amount of \$250 as authorized by the Association's March 2021 Fine Schedule. Declaration § 6.4(3) authorizes the Board to establish, promulgate, amend, and repeal Rules governing the conduct of persons and the operation and use of the Association, and Declaration § 6.4(5) authorizes the Association to levy fines as a means of enforcing the provisions of the Governing Documents. Any change in the fine amount that the Board proposes to impose may not be imposed unless and until the updated amount is listed in this fee schedule adopted and distributed by Rule in accordance with Utah Code §§ 57-8a-201(5) and 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 <sup>1</sup>	Cat <sup>2</sup>	For	Amount
1	Assessments	102(1); 201(1)-(3)	C	Common expenses and other assessments levied by the HOA.	<sup>a</sup>
2	Payoff Fee	106	B	Association payoff information at closing. <sup>b</sup>	Up to \$50.
3	Lot Plan Review Fee	109	A	Review of HOA-required lot plans and application. <sup>c</sup>	Actual costs incurred.
4	Late Fee	201(4)(a)	B	Late payment of amount due. <sup>d</sup>	Greater of 10% or \$50.
5	Interest	201(4)(b)	B	Interest on delinquent assessment and late fee. <sup>e</sup>	Up to 1.5%/mo.
6	Written Statement Fee—Assessment	206(1)	A	Owner-requested written statement of unpaid assessments. <sup>f</sup>	Up to \$10.
7	Fines for Violations	208	B	Governing-document violations.	<sup>g</sup>
8	Rental Lot Fee	209(9)(c)	B	Rental-lot administrative cost recovery. <sup>h</sup>	Up to \$200/yr.
9	Records Copying Fee	227(4)(b)	A	Copies or scans of association records produced by the association. <sup>i</sup>	\$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. <sup>j</sup>	Actual costs incurred.

<sup>1</sup> “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.

<sup>2</sup> “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. <sup>k</sup>	Up to \$25.
12	Written Statement Fee—Collection	311(1)	A	Written statement of unpaid assessments for collection. <sup>l</sup>	Up to \$25.
13	Solar Plan Review Fee	701(4)(b)	A	Review of HOA-required solar installation plans and application. <sup>m</sup>	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. <sup>n</sup>	Actual costs incurred.
15	Reinvestment Fee	Utah Code § 57-1-46	B	Transfer of a lot. <sup>o</sup>	Up to 0.5% of the gross sales price.

<sup>a</sup> 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).

<sup>b</sup> 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.

<sup>c</sup> 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.

<sup>d</sup> 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.

<sup>e</sup> 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.

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<sup>f</sup> 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.

<sup>g</sup> 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.

<sup>h</sup> 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.

<sup>i</sup> 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.

<sup>j</sup> 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.

<sup>k</sup> 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.

<sup>l</sup> 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.

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<sup>m</sup> 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.

<sup>n</sup> 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.

<sup>o</sup> 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.