

**Highland Estates PUD**  
**Rule – Fee Schedule Adoption and Disclosure**  
(Utah Condominium Ownership Act)

**1. Purpose**

The purpose of this Rule is to adopt and disclose a comprehensive schedule of fees and other monetary charges in a manner consistent with Utah Code § 57-8-8.1, including Subsections (4) and (17), and other applicable provisions of the Condominium Ownership Act.

This Rule is procedural and informational in nature. It does not create, expand, or modify any fee, assessment, fine, interest charge, or other monetary obligation. All such obligations arise, if at all, solely under applicable law and the Association’s Governing Documents.

This Rule is intended to provide unit owners with clear notice of what charges may be imposed, the statutory or governing-document authority for each charge, the applicable legal limits, and the manner in which the Association elects to administer fees for compliance and transparency purposes.

**2. Authority**

This Rule is adopted pursuant to Utah Code § 57-8-8.1, including Subsections (4) and (17), and the authority granted to the Association under its Declaration and Bylaws.

In the event of a conflict, applicable state law controls first, followed by the Declaration, the Bylaws, and then this Rule, consistent with Utah Code § 57-8-40(5).

**3. Statutory Interpretation and Disclosure Approach Under Utah Code § 57-8-8.1**

**3.1. Charges Subject to Fee-Schedule Disclosure**

Utah Code § 57-8-8.1(4) authorizes an association of unit owners, by rule, to impose certain fees and charges, including late fees, interest, use-related fees, and service-related charges, subject to statutory limits. Section 57-8-8.1(17) requires that, before imposing at least a fee under Subsection (4), the Association adopt and distribute a fee schedule describing the amount of each such fee.

**3.2. Contractual vs. Statutory Authority**

Certain monetary charges may also be authorized by the Declaration, Bylaws, or other Governing Documents independent of rule adoption. The Condominium Ownership Act, including § 57-8-8.1(4), does not expressly eliminate such contractual authority. At the same time, the Act establishes a statutory framework governing the imposition, limitation, and disclosure of fees when imposed at least pursuant to § 57-8-8.1(4).

**3.3. Compliance Election and Conservative Disclosure**

In light of this statutory structure, and to promote transparency and regulatory compliance, the Association elects to administer fees that fall within the scope of § 57-8-8.1(4) through the rule-based framework described in that section, and to disclose those fees in a consolidated Fee

Schedule adopted and distributed in accordance with § 57-8-8.1(17). The inclusion of any charge in the Fee Schedule is not intended to concede that such charge could not otherwise be authorized by the Governing Documents, nor to expand the Association's authority beyond what is permitted by law.

### **3.4. No Expansion or Modification of Association 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 Condominium Ownership Act, Utah Code § 57-8-1 *et. seq.*, as it may be amended from time to time.

**B. Association.** "Association" means **Highland Estates PUD**, 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 § 57-8-3(20), as applicable to the Association.

**F. Rule.** "Rule" means a written rule (including house rules and administrative rules), regulation, policy, fee schedule, or similar directive of general applicability adopted by the Association as a governing document within the meaning of Utah Code § 57-8-3(20)(b)(v), and pursuant to the Governing Documents and Utah Code Title 57, Chapter 8, including Utah Code §§ 57-8-8 and 57-8-8.1.

## **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 requirements of Utah Code § 57-8-8.1(17) with respect to those fees, if any, that the Association elects to impose pursuant to Utah Code § 57-8-8.1(4).

The inclusion in the Fee Schedule of other charges that the Association believes arise independently under statute or the Governing Documents, and not under § 57-8-8.1(4), is solely for purposes of disclosure and transparency and is not intended to concede that such charges are subject to § 57-8-8.1(4) or § 57-8-8.1(17).

## **6. Effect of Amendment or Repeal**

This Rule is adopted pursuant to Utah Code § 57-8-8.1(4) and (17). This Rule may be amended or repealed by the Board in accordance with the Bylaws and applicable law. Nothing in this Rule is intended to limit any rights of the Unit Owners under the Declaration, the Bylaws, or Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act.

Reversal, amendment, or repeal of this Rule shall not eliminate, modify, or restrict any charge authorized directly by statute or by the recorded Governing Documents, nor relieve the Association of its obligation to adopt and provide a fee schedule in compliance with Utah Code § 57-8-8.1(17) before imposing any fee administered under § 57-8-8.1(4).

## **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 adopted pursuant to Utah Code § 57-8-8.1(4) and (17). 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. In the event of a conflict, the hierarchy set forth in Utah Code § 57-8-40(5) shall control.

## **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 Association'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. Nothing in this section is intended to characterize any such amount as a "fee" subject to Utah Code § 57-8-8.1(4) or § 57-8-8.1(17).

## **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 § 57-8-44 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 § 57-8-3(1) may give rise to an assessment lien under § 57-8-44(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 § 57-8-44(1)(a)(ii).

## **10.3. Fines**

Fines are lien-eligible under the conditions stated in § 57-8-44(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 unit 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 unit owners in the same manner the Association customarily provides notices or governing-document updates to unit 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.

**14. Adoption**

This Rule was duly adopted by the Association, acting through its authorized governing body, in accordance with the Declaration, the Bylaws, and applicable provisions of Utah Code Title 57, Chapter 8, including Utah Code § 57-8-8.1, as of the latest date set forth below.

*Bryan Daines* Date: 06/15/2026  
Bryan Daines, Trustee

*Yulere Lincoln* Date: 06/16/2026  
Yulere Lincoln, Trustee

*Jennifer Stevenson* Date: 06/15/2026  
Jennifer Stevenson, Trustee

*Kassie White* Date: 06/15/2026  
Kassie White, Trustee

**[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 Highland Estates PUD .
2. **Statutorily Authorized Fee Schedule**, which lists fees that are expressly authorized, regulated, or limited by applicable law, including the Utah Condominium Ownership Act and other applicable statutes; and

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

**Highland Estates PUD**  
**Governing-Document Authorized Fee Schedule**  
(Utah Condominium Ownership 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 § 57-8-8.1, 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	D14(a), (d), (g), (h); B8.1	C	Common expenses and operation of the Common Area.	<sup>a</sup>
2	Special Assessment	D14(a), (e), (f)	C	Capital improvements to the Common Area.	<sup>b</sup>
3	Interest	D14(i); B8.1; Rule	C	Delinquent assessments. <sup>c</sup>	12% per annum.
4	Collection Costs	D14(b), (i); B8.1	C	Collection actions on delinquent assessments, including reasonable attorneys' fees. <sup>d</sup>	Actual costs incurred.
5	Collection Fee	D14(b), (i); D18(a); B8.1; Resolution	D	Assignment of a delinquent account or debt to a third-party debt collection agency or licensed attorney for collection. <sup>e</sup>	Lesser of (a) actual amount Association is required to pay third-party debt collector, or (b) 40% of principal amount owed.
6	Written Statement Fee	D14(h); B3.16(d)	A	Written statement or certificate regarding assessment status.	<sup>f</sup>
7	Records Copying Fee	B6.1	A	Copies of Association records	<sup>g</sup>

<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 First Amended and Restated Declaration recorded in the Cache County, Utah, Recorder's Office as Entry No. 749107 on November 13, 2000, and the Bylaws ("B") recorded in the Cache County, Utah, Recorder's Office as Entry No. 901652 on October 7, 2005, as amended by Entry No. 1259512 on September 16, 2020. Statutory provisions of the Utah Condominium Ownership Act, where applicable, are addressed separately in the endnotes and the Statutorily Authorized Fees 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 § 57-8-8.1(17). 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	Fine—Second Violation	B3.15(a); Rule	D	A second violation of a provision of the Governing Documents. <sup>h</sup>	\$50.
9	Fine—Third Violation	B3.15(a); Rule	D	A third violation of a provision of the Governing Documents. <sup>i</sup>	\$75.
10	Fine—Fourth or Subsequent Violation	B3.15(a); Rule	D	A fourth or subsequent violation of a provision of the Governing Documents. <sup>j</sup>	\$100.
11	Towing Charge	D7(d), (g); B3.15(a); Rule	D	Parking-rule violations or unauthorized parking resulting in towing. <sup>k</sup>	Amount charged by towing company.
12	Roof/Satellite-Dish Damage Cost Recovery	B3.15(a); Rule	D	Damage caused by unapproved roof attachments or improper satellite-dish installation. <sup>l</sup>	All repair costs and resulting damages.
13	Rental-Related Insurance Cost Assessment	D29	C	Increased Association insurance cost attributable to rental Units. <sup>m</sup>	Renting owners' proportionate share of increased cost.
14	Owner Negligence Damage Assessment	D12(c)	C	Damage caused by an Owner's negligence in connection with maintenance, repair, emergency repair, or replacement work. <sup>n</sup>	Actual uninsured damage amount.
15	Reinvestment Fee	Recorded Notice	D	Transfer of a Unit. <sup>o</sup>	0.5% of the gross sales price.

<sup>a</sup> An Annual Assessment is levied against each Unit for common expenses. Declaration § 14(a), § 14(d), § 14(g), and § 14(h), together with Bylaws § 8.1, authorize the Association to levy this assessment. The amount is controlled by the governing-document formula: an increase above 5% requires member approval, or the Board may fix the actual annual assessment at an amount not exceeding the 5% maximum. This charge arises pursuant to a recorded governing document and is not subject to adoption or disclosure under Utah Code § 57-8-8.1(17).

<sup>b</sup> A Special Assessment may be levied against each Unit for construction, reconstruction, repair, or replacement of capital improvements upon the Common Area, including related fixtures and personal property. Declaration § 14(a), § 14(e), and § 14(f) authorize the Association to levy this assessment, and require assent of two-thirds of the votes of each class of members voting in person or by proxy at a meeting duly called for that purpose. This charge arises pursuant to a recorded governing document and is not subject to adoption or disclosure under Utah Code § 57-8-8.1(17).

<sup>c</sup> An Interest charge may be imposed on a delinquent assessment if the assessment is not paid within thirty days after the due date, as authorized by Declaration § 14(i) and Bylaws § 8.1 and as confirmed and restated by Rule – Fine Schedule, Late Fee, and Interest, adopted the same date as this fee schedule, in the amount of 12% per annum from the due date or date of delinquency as stated in the governing documents. This charge corresponds to Fee No. 5 in the Statutorily Authorized Fee Schedule (“Interest”) and falls within its maximum interest rate.

<sup>d</sup> Collection Costs may be charged when the Association brings an action at law or forecloses its lien to collect delinquent assessments, as authorized by Declaration § 14(b) and § 14(i), together with Bylaws § 8.1, in the amount of the actual costs incurred, including reasonable attorneys' fees. This charge arises pursuant to a recorded governing document and is not subject to adoption or disclosure under Utah Code § 57-8-8.1(17).

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<sup>c</sup> A Collection Fee may be charged if the Association assigns a delinquent account or debt to a third-party debt collection agency or licensed attorney for collection. The Collection Policy and Collection Fee Resolution authorizes this fee in the maximum amount permitted by Utah Code § 12-1-11, not exceeding the lesser of: (a) the actual amount the Association is required to pay the third-party debt collection agency or licensed attorney, whether stated as a specific dollar amount or as a percentage of the principal amount owed; or (b) forty percent (40%) of the principal amount owed. This fee is separate from, and in addition to, Collection Costs, attorney fees, court costs, filing fees, lien fees, foreclosure costs, and other recoverable charges to the extent permitted by the Governing Documents and applicable law.

<sup>f</sup> A Written Statement Fee may not be charged as set forth in the governing documents. Any fee associated with issuing a written statement or certificate regarding unpaid assessments is chargeable only as provided by statute, regardless of whether Declaration § 14(h) or Bylaws § 3.16(d) reference, authorize, or otherwise address such a fee. Accordingly, the Association may charge only the statutorily authorized Written Statement Fee, Fee No. 12 of the Statutorily Authorized Fee Schedule, and only in the form, manner, and amount permitted therein.

<sup>g</sup> A Records Copying Fee may not be charged as set forth in the governing documents. Any fee associated with providing copies of Association records is chargeable only as provided by statute, regardless of whether Bylaws § 6.1 state that copies may be purchased at reasonable cost. Accordingly, the Association may charge only the statutorily authorized Records Copying Fee, Fee No. 8 of the Statutorily Authorized Fee Schedule, and only in the form, manner, and amount permitted therein.

<sup>h</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 § 57-8-37, in the amount of \$50.00 as authorized by Bylaws § 3.15(a) and Rule – Fine Schedule, Late Fee, and Interest, adopted the same date as this fee schedule.

<sup>i</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 § 57-8-37, in the amount of \$75.00 as authorized by Bylaws § 3.15(a) and Rule – Fine Schedule, Late Fee, and Interest, adopted the same date as this fee schedule.

<sup>j</sup> A Fine—Fourth or Subsequent Violation may be charged only for a fourth or subsequent violation of a provision of the Governing Documents, within the applicable time periods and under the conditions described in Utah Code § 57-8-37, in the amount of \$100.00 as authorized by Bylaws § 3.15(a) and Rule – Fine Schedule, Late Fee, and Interest, adopted the same date as this fee schedule. The aggregate amount of fines assessed against an Owner for violations of the same provision of the Governing Documents shall not exceed \$500.00 in any one calendar month, or such other maximum amount as may be permitted or required by Utah Code § 57-8-37, as amended from time to time.

<sup>k</sup> A Towing Charge is charged in connection with unauthorized parking or parking-rule violations resulting in towing, as authorized by Declaration § 7(d) and § 7(g), Bylaws § 3.15(a), and the Rules and Regulations of the Highland Estates Homeowners Association, in the amount charged by the towing company.

<sup>l</sup> A Roof/Satellite-Dish Damage Cost Recovery charge may be imposed in connection with damage caused by roof attachments made without prior approval or by improper satellite-dish installation, as authorized by the Rules and Regulations of the Highland Estates Homeowners Association, in the amount of all costs to repair the roof plus resulting damages.

<sup>m</sup> A Rental-Related Insurance Cost Assessment may be levied against a renting Unit Owner for increased Association insurance costs attributable to rentals. Declaration § 29 authorizes the Association to require Unit Owners then renting Units to pay their portion of the increased insurance cost charged if Association insurance costs increase due to the percentage of rentals. The amount is limited to the actual increased cost allocated to the renting owners. This charge arises pursuant to a recorded governing document and is not subject to adoption or disclosure under Utah Code § 57-8-8.1(17).

<sup>n</sup> An Owner Negligence Damage Assessment may be levied against a particular Owner for uninsured damage caused by that Owner's negligence in connection with maintenance, repair, emergency repair, or replacement work involving the Common Areas, Limited Common Areas, and Facilities. Declaration § 12(c) authorizes collection of such amounts by assessment. The amount is limited to the actual uninsured damage amount. This charge arises pursuant to a recorded governing document and is not subject to adoption or disclosure under Utah Code § 57-8-8.1(17).

<sup>o</sup> A Reinvestment Fee is charged in connection with the transfer of a Unit as established by the Reinvestment Fee Resolution dated May 1, 2022, in the amount of 0.5% of the gross sales price. A compliant Notice of Reinvestment Fee Covenant, with the Resolution attached as Exhibit B, was recorded in Cache County as Entry No. 1321080 on June 1, 2022, as required to authorize and charge this fee.

## Utah Condominium Ownership Act Statutorily Authorized Fee Schedule

This Fee Schedule lists fees and monetary charges that are expressly authorized or regulated under the Utah Condominium Ownership Act as of January 2026. 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. The Schedule is provided in connection with an association’s statutory disclosure and transparency obligations under the Utah Condominium Ownership Act, including Utah Code § 57-8-8.1 and related provisions.

	<b>Fee</b>	<b>Cite<sup>1</sup></b>	<b>Cat<sup>2</sup></b>	<b>For</b>	<b>Amount</b>
1	Assessments	3(1); 8.1(4)	C	Common expenses and other assessments levied by the HOA.	<sup>a</sup>
2	Payoff Fee	6.3(2)	B	Association payoff information at closing. <sup>b</sup>	Up to \$50.
3	Unit Plan Review Fee	6.7(2)	A	Review of HOA-required unit plans and application. <sup>c</sup>	Actual costs incurred.
4	Late Fee	8.1(4)(b)(i)	B	Late payment of an assessment. <sup>d</sup>	Greater of 10% or \$50.
5	Interest	8.1(4)(b)(ii)	B	Interest on delinquent assessment and any late fee. <sup>e</sup>	Up to 1.5%/mo.
6	EV Charger Plan Review Fee	8.2(8)	A	Review of electric vehicle (EV) charger installation plans and application. <sup>f</sup>	Actual costs incurred.
7	Rental Unit Fee	10.1(9)(c)	B	Rental-unit administrative cost recovery. <sup>g</sup>	Up to \$200/yr.
8	Records Copying Fee	17(4)(b)	A	Copies or scans of association records produced by the association. <sup>h</sup>	\$0.10/page and up to \$20/hr, or actual third-party cost.
9	Fines for Violations	37(3)	B	Governing-document violations.	<sup>i</sup>

<sup>1</sup> “Cite” identifies the specific provision(s) of the Utah Condominium Ownership 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 § 57-8-8.1(17). 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 reflects the governing-document hierarchy set forth in Utah Code § 57-8-40.

10	Utility Reinstatement Fee	52(8)	B	Reinstating utility service terminated for delinquency. <sup>j</sup>	Actual costs incurred.
11	Rent Diversion Fee	53(7)	B	Administration of tenant rent diversion for delinquent owner. <sup>k</sup>	Up to \$25.
12	Written Statement Fee	54(1)	A	Owner-requested written statement of unpaid assessments. <sup>l</sup>	Up to \$25.
13	Reinvestment Fee	Utah Code § 57-1-46	B	Transfer of a lot. <sup>m</sup>	Up to 0.5% of the gross sales price.

<sup>a</sup> Assessments consist of charges imposed by the association on or against a unit owner, including common expenses and other assessments levied pursuant to the declaration, bylaws, or applicable provisions of the Condominium Ownership Act (including the annual budget), and constitute a debt of the unit owner when levied, as defined in Utah Code § 57-8-3(1). Although assessments are not “fees,” and are not subject to the fee-schedule adoption requirement applicable to fees under § 57-8-8.1(17), assessments form the statutory predicate for certain fees authorized under § 57-8-8.1(4), including late fees and interest. The inclusion of Assessments 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 the Condominium Ownership Act.

<sup>b</sup> A Payoff Fee under Utah Code § 57-8-6.3 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 closing of a unit owner’s financing, refinancing, or sale. Any authorized Payoff Fee may not be required to be paid before closing and may not exceed \$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 § 57-8-6.3(3), the association may not enforce a lien against the unit 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 Unit Plan Review Fee under Utah Code § 57-8-6.7 may be charged when a unit owner submits unit 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 unit plans for compliance with the governing documents, whether the plans are approved or denied. If the association denies a unit plan, it must provide the written notice required by § 57-8-6.7(3). The statute itself authorizes this fee and prescribes its method of calculation, and the association may charge it upon submission of the unit 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 Unit Plan Review Fee.

<sup>d</sup> A Late Fee charged under Utah Code § 57-8-8.1(4)(b)(i) may be imposed only for the late payment of an assessment, as defined in Utah Code § 57-8-3(1), including common expenses and other assessments levied pursuant to the declaration or bylaws, after the assessment has become past due under the governing documents. The Late Fee may not exceed the greater of 10% of the delinquent assessment amount or \$50. The statute authorizes, but does not require, the imposition of a Late Fee, and the decision whether to impose the Late Fee and when an assessment is deemed late are governed by the association’s governing documents, including any duly adopted rules, subject to the statutory cap.

<sup>e</sup> Interest charged under Utah Code § 57-8-8.1(4)(b)(ii) may be imposed only on a delinquent assessment, as defined in Utah Code § 57-8-3(1), and on any properly imposed late fee, after the assessment has become past due under the governing documents. The interest rate may not exceed 1.5% per month. The statute authorizes, but does not require, the imposition of interest, and the decision whether to impose the Interest and when an assessment becomes delinquent are governed by the association’s governing documents, including any duly adopted rules, subject to the statutory cap.

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<sup>f</sup> An EV Charger Plan Review Fee under Utah Code § 57-8-8.2(3)(d) may be charged when a unit owner submits an application to install an electric vehicle charging system that is subject to review under the association's governing documents. The fee is limited, on a review-by-review basis, to the reasonable, actual costs incurred by the association to review and permit the proposed installation, whether 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 governing-document review standards and charges no more than its reasonable, actual costs. No flat, preset, or revenue-generating fee is authorized, and the existence of governmental permitting or inspection requirements alone does not authorize an EV Charger Plan Review Fee.

<sup>g</sup> A Rental Unit Fee under Utah Code § 57-8-10.1(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 units to be rental units and elects to impose the fee in compliance with statute. The fee may be charged only to unit owners who own rental units 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 unit-by-unit basis, to a unit's rental status, as detailed in a written notice provided to the affected unit owner. Before imposing the fee, the association must comply with the procedural conditions precedent set forth in Utah Code § 57-8-10.1(9)(d), and if the required notice is not provided or is deficient, the fee must be waived upon request as required by Utah Code § 57-8-10.1(12). These statutory requirements apply regardless of when the association was formed and displace any inconsistent governing-document provision.

<sup>h</sup> A Records Copying Fee under Utah Code § 57-8-17(4)(b) may be charged when a unit owner requests copies or electronic scans of association records and elects that the association produce the copies. 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 \$0.10 per page and \$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 § 57-8-17(4)(b)(iii). The statute itself authorizes this fee, and the association may charge it as soon as a unit owner submits a proper written request, without any board vote, rule adoption, resolution, or other formal action.

<sup>i</sup> Fines for violations charged under Utah Code § 57-8-37 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 § 57-8-37. The aggregate amount of fines assessed against a unit owner for violations of the same rule or provision may not exceed five hundred dollars (\$500) in any one calendar month, as provided in Utah Code § 57-8-37(2)(d). All fines remain subject to the lien limitations imposed by applicable law, regardless of whether fines are classified as assessments in the governing documents.

<sup>j</sup> A Utility Reinstatement Fee under Utah Code § 57-8-52(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 unit owner's utility service for nonpayment in compliance with § 57-8-52. 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 § 57-8-52(3). No flat, preset, or revenue-generating reinstatement fee is authorized.

<sup>k</sup> A Rent Diversion Fee under Utah Code § 57-8-53(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 unit owner's failure to pay assessments for more than 60 days, in compliance with § 57-8-53. 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 \$25. The fee may be collected only from lease payments received from the tenant under § 57-8-53 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. These statutory limitations apply regardless of when the association was formed and displace any inconsistent governing-document provision.

<sup>l</sup> A Written Statement Fee under Utah Code § 57-8-54 may be charged only in connection with a unit owner's written request for a statement of unpaid assessments. Upon receipt of the request, the manager or management committee is required by statute to issue the written statement and may charge a reasonable fee not to exceed \$25. The statute itself authorizes this fee, and the association may charge it as soon as a unit owner submits a proper written request, without any board vote, rule adoption, resolution, or other formal action.

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<sup>m</sup> A Reinvestment Fee under Utah Code § 57-1-46 may be charged only if and after the obligation is authorized by a recorded declaration or other recorded governing document applicable to the association of unit owners and a separate, compliant notice of reinvestment fee covenant has been recorded as required by § 57-1-46. 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 solely by the transfer of a unit; it is not a fee adopted or imposed by the management committee under § 57-8-8.1 and is not subject to adoption by rule or inclusion in this fee schedule. 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, the approval and voting requirements of § 57-1-46(10)–(12), and the governing-document hierarchy set forth in § 57-8-40, and any inconsistent rule, policy, or committee action is displaced.