

# BOARD POLICIES

West Meadows Estates  
Homeowners Association Inc.

CC&R Standards Committee **Policy 201**

Effective: September 11, 2018

By:   
Mike Eastlund, Board President

## 1. PURPOSE

To provide a method to enforce the CC&R's that affects all properties in the subdivision.

## 2. PERSONS AFFECTED

Property owners, residents of properties, guests of property owners and or residents, Board members, Board officers and employees of the Association.

## 3. REFERENCES

Fee and Fine Policy 102

## 4. DEFINITIONS

- 4.1. Notice of Violation: A written notice of a violation provided to a homeowner.
- 4.2. Property File: A file maintained of all correspondence and related materials for a property.
- 4.3. Property Book: A book with pictures of each property illustrating the appearance of the property when constructed or when the Association was transferred to the homeowners on 6-1-2008.
- 4.4. Record of Violation Log: A log containing a list of all violations and disposition.
- 4.5. Board-initiated correction: A corrective action ordered by the Board and paid for by the Association.
- 4.6. "Oops" Notice: A notice left on a trash container or vehicle to provide a friendly reminder of a violation.

## 5. POLICY

- 5.1. All owners, residents and guests shall follow the covenants, rules and by-laws of the Association or request a permit for variance, as applicable.
- 5.2. Initial compliance actions will focus on notification and education to bring homes and properties into voluntary conformity without penalty.
- 5.3. When applicable, civil authority will be requested to enforce civil codes and ordinances.
- 5.4. "Oops" notices can be attached to vehicles or refuse containers as a friendly

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- reminder and are not to be used as part of a violation chain for fines or legal enforcement.
- 5.5. A written notice of violation must be provided in person or by US mail to the property owner before enforcement action can be taken.
  - 5.6. The Standards Committee Chairperson (designee) shall be permitted to enter a lot to abate or remove a violation of the CC&R's and/or HOA policy.
    - 5.6.1. Prior written notice with an opportunity to be heard shall be provided to the property owner except in the case of emergency.
    - 5.6.2. The cost of such abatement, removal or correction can be charged the to the property owner.
  - 5.7. Violations must be corrected or appealed within specified time to avoid fines or suspend enforcement action.
    - 5.7.1. A mutually agreed upon time in excess of specified time may be granted when commitment for correction is provided by the member.
  - 5.8. An appeal to a notice of violation must be made to the Board in writing by US mail and postmarked within the time allowed for correction.
    - 5.8.1. An appeal appropriately made stops the clock on corrections until a decision by the Board is complete.
    - 5.8.2. An appeal not upheld by the Board shall require the Board to identify a new time for correction and notification by US mail.
  - 5.9. Violations not corrected or appealed in a specified time are subject to fines as identified in Appendix "A" of the fee and fine policy NO. 102.
  - 5.10. The Board has the authority to reverse, cancel or amend any fine, but may not increase a fine beyond amount identified in Appendix "A" of the fee and fine policy NO. 102.
  - 5.11. The standards committee chairperson or Secretary/Treasurer, with authorization from the Board President, may act for the Board to:
    - 5.11.1. Initiate legal action for compliance.

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5.11.2. Defer, delay, suspend, modify or cancel fines and/or fees when in their opinion, the Board would concur.

5.12. A repeat violation within 180 days from the date of correction may result in an additional fine and re-imposition of a suspended fine.

5.13. The Board may assess a member for professional fees incurred by the WMEHOA for enforcement and/or administration of the CC&R's or Board Policies.

### **6. RESPONSIBILITIES**

6.1. It is the responsibility of the Board to elect a member of the Board to chair the CC&R standards committee.

6.2. It is the responsibility of the chairperson (or designee) of the CC&R standards committee to supervise individuals or contractors assisting with compliance actions.

6.3. It is the responsibility of the chairperson to cause a periodic inspection of the neighborhood for visible violations of CC&R's or Board Policy.

6.4. It is the responsibility of the chairperson (or designee) of the CC&R standards committee to ensure that a violation record of all observed or reported violation be maintained in the record of violation log.

6.5. It is the responsibility of the chairperson (or designee) to evaluate suspected/ reported violations within 48 hours (whenever possible) of awareness of the violation.

6.6. It is the responsibility of the chairperson (or designee) to complete and forward a notice of violation to the responsible property owner.

6.7. It is the responsibility of the chairperson (or designee) to record a copy of the notice of violation in the property file.

6.8. It is the responsibility of the chairperson (designee) to cause re-inspections of the property until the violation is corrected.

6.9. It is the responsibility of the chairperson to report actions of the CC&R

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standards committee at Board meetings to include:

- 6.9.1. Violations identified and results of evaluations.
- 6.9.2. Information regarding fines and/or corrective actions.
- 6.10. It is the responsibility of the Board President to approve all enforcement activities requiring legal assistance and approve emergency corrective actions.
- 6.11. It is the responsibility of the treasurer to invoice property owners for all fines and/or corrective action as directed by the Board or chairperson of the standards committee or designee.

### **7. PROCEDURES**

- 7.1. Whenever a violation is reported or becomes evident, a record will be made in record of violation log.
- 7.2. An evaluation of the violation should be made within 48 hours and results of the evaluation recorded in the record of violation log.
- 7.3. A valid violation requires a written notice of violation be completed and sent to the affected property owner requesting voluntary compliance and / or a time to appeal. A copy of the notice of violation letter will be retained by the initiator until resolved or forwarded for record retention in the property file.
- 7.4. All notices of violation will identify the date, address, nature of the violation and the amount of time allowed for correction.
- 7.5. Whenever a first-time violation is corrected within the specified time, period, no further action shall be taken except a record in the property file.
- 7.6. Whenever a violation is not corrected within the required time allowed, a second letter shall be sent with additional time for correction, specifying the fine amount and fine cycle in effect until the violation is corrected.
- 7.7. After the original invoice is sent to a member, additional invoices and statements will be sent once each month.
- 7.8. The treasurer will invoice the property owner the assessed fine after the

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violation is corrected and shall have authority to initiate such collection activities as are allowed by law, including (with Board approval) liens, lawsuits and foreclosure against the affected property.