



Homeowners' Association, Inc. Procedure for CC&R Compliance

BACKGROUND

Covenant enforcement is an essential part of managing the Tuscany Homeowners' Association (HOA). The restrictions that have been set for the Tuscany HOA are designed to preserve the Property's value, desirability and attractiveness, and to ensure a well integrated, high-quality development. The below procedures are designed to provide an outline of the process to swiftly deal with each violation, while giving the homeowner ample time to comply or respond. Any costs incurred by the Association in following these procedures shall be billed to the homeowner and paid to the Tuscany HOA.

INSPECTIONS

Property Management performs monthly inspections on behalf of the Board of Directors. Violations are noted, and sent to the Board of Directors in summary.

NEIGHBOR CONCERNS

Neighbor concerns are taken in writing or by phone. When a complaint is received a neighbor complaint letter will be sent, representing the homeowner's first notice of the violation. Anytime a higher governing agency can address the concerns, the homeowner may be referred to this agency. For example: a dog barking complaint may be referred to animal control, or a noise disturbance may be referred to the police.

VIOLATIONS

Homeowners may receive letters of violation from either neighbor complaints or inspections.

- 1) The **First** notice will request correction of the violation(s).
- 2) A **Second** notice will be sent if the violator has not contacted Property Management or has not corrected the violation within 20 days of the first notice. This second notice will allow the homeowner 15 days to make correction.
- 3) If correction has not been made, and no response received, a **Third** and final notice will be sent giving the homeowner 5 business days to contact Property Management with a resolution before further action is taken.
- 4) If the homeowner does not respond to the third letter, the issue is turned over to the Board for further action. Legal action will be taken if deemed appropriate based on the violation, homeowner situation, and out of pocket expense to the Association. Legal costs will be billed to the homeowner.

REPEAT VIOLATIONS

- 5) The Board reserves the right to shorten the violation process in the case of repeat offences. If an owner receives more than two notices during any quarter, or four during any single calendar year, for the same or substantially the same violation, the Board may vote to treat the case as one of repeated offences. In that event, the Board will notify the owner in writing that the violation has been deemed to be a repeating violation, and that any further violations of the same type within the next calendar year may lead directly to a Third and Final Notice without additional notices being provided first.