

BOARD POLICIES

West Meadows Estates
Homeowners Association Inc.

CC&R Standards Committee **Policy 201**

Effective: February 9, 2024

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 located on the street or sidewalk.
 - 5.4.1. "Oops" notices are not to be used if the inspector must enter upon a property.
 - 5.4.2. After a member has received three "Oops" notices in 180-day period, the next

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violation requires a violation notice to the member advising them any additional violations in 180 days will result in a fine for each occurrence.

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

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- 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. After 180 days, records of a violation shall be removed from the violation log.
- 5.14. 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 is 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 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.

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- 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 the record of violation log.
- 7.2. An evaluation of the violation should be made within 48 hours and 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 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.