

## 4.1 Violation Process Summary

- a) **Violation Observed** - Violation observed by WCA General Manager and reported to ARB and WCA Board of Directors
- b) **Courtesy Notice** - Courtesy Notice describing the violation is issued to the owner. The identified violation(s) must be fixed within 30 calendar days of the delivery of the Courtesy Notice.
- c) **Second Notice** - If the owner has not contacted the WCA General Manager within 15 calendar days of the Courtesy Notice being sent then the Second Notice will be sent.
- d) **Hearing Notice** - If the owner has not contacted the WCA General Manager within 15 calendar days of the second notice being sent then the Hearing Notice will be sent.
- e) **Hearing** – The owner will meet with the Board to discuss the violation. A time to correct the identified violations will be agreed upon.
- f) **Post Hearing Enforcement** - If found to still be in violation after the agreed upon time to correct the violation has expired the owner may be assessed an immediate \$100 fine. A grace period of 5 calendar days will be given for the owner to correct the violation. On the sixth day the owner may be assessed \$100 per day fines until the violation is corrected.
- g) **In Compliance Notice** - Once a violation has been corrected an In-Compliance Notice will be given to the owner and placed on file.
- h) Any further infraction of the same kind will be charged at \$100 per infraction without further hearing.
- i) Owners/Property Managers are required to notify and provide both tenants and guests with a copy of the rules. Owners are responsible for the actions of their guests and tenants.

### 4.3.3 Notice to Homeowner

**4.3.3.1 Once a violation has been confirmed by the ARB; the WCA General Manager will inform the WCA Board of Directors, and will send a written notification to the owner in violation,**

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**noting the violation and requesting compliance with the rules within 30 calendar days to avoid penalties.**

**4.3.3.2 In the case of work in progress, a certified letter shall be sent informing the homeowner to cease the work immediately, explaining the violation. The violator will have a total of 45 calendar days to correct the violation.**

**4.3.3.3 During the 30 calendar day period provided to correct the violation the resident also has the right to submit an appeal of the alleged violation(s) to the WCA Board of Directors for review.**

**4.3.3.4 Homeowners may request, at any time, request additional time to correct violations. All requests need to be made by letter or e-mail and forwarded to the WCA General Manager, who will forward these to the WCA Board of Directors for review and consideration.**

**4.3.3.5 If the homeowner contacts the WCA General Manager within 15 calendar days of the First Violation Notice, then no further notices will be sent. The owner must agree to correct the violation within 30 calendar days from the First Violation Notice being sent. 30 calendar days after the First Violation Notice is received, the ARB or the WCA General Manager will perform a site inspection. If the violation has been corrected, the matter will be closed. An In-Compliance Notice will be issued to the owner to indicate the violation has been satisfactorily resolved. Any unresolved violation will result a Hearing Notice.**

**4.3.3.6 If the homeowner does not contact the WCA General Manager within 15 calendar days of the First Violation Notice, a Second Violation Notice will be sent.**

**4.3.3.7 If the homeowner contacts the WCA General Manager within 15 calendar days of the Second Violation Notice, then no further notices will be sent. The owner must agree to correct the violation within 30 calendar days from the Second Violation Notice being sent. 30 calendar days after the Second Violation Notice is received, the ARB or the WCA General Manager will perform a site inspection. If the violation has been corrected, the matter will be closed. An In-Compliance Notice will be issued to the owner to indicate the violation has been satisfactorily resolved. Any unresolved violation will result a Hearing Notice.**

**4.3.3.8 If a Second Violation Notice has been sent, and the homeowner does not contact the WCA General Manager within 15 calendar days of the second notice, a Hearing Notice will be sent.**

#### **4.3.4 Enforcement Options**

**4.3.4.1 If the corrective action demanded by the notice is taken within the specified time and completed in a satisfactory manner, no further enforcement would be necessary.**

**4.3.4.2 If work is not ceased upon demand, or if corrective action is not taken within the specified time as described above, or the corrective action taken is not satisfactory, the ARB and WCA General Manager will notify the WCA Board of Directors that one or more enforcement actions may be required. They include the following;**

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a) **Violation Hearing** - Require the Owner to attend a Hearing.

The homeowner will be given a Hearing Notice that restates the violation and requests the homeowner attend a hearing held before the WCA Board of Directors or an adjudicatory panel appointed by the WCA Board of Directors.

The hearing will occur no sooner than two weeks from the delivery of the Hearing Notice or at the next available Board of Directors monthly meeting.

At the hearing the homeowner shall be given opportunity to be heard. Evidence, including photographs, provided by the WCA General Manager and/or the owner will be reviewed.

At the Hearing the panel will communicate their decision. The homeowner may appeal the decision of an adjudicatory panel to the full WCA Board of Directors by delivering written notice of appeal to the WCA Board of Directors within 15 days after the date of the decision. The WCA Board of Directors may affirm, vacate, or modify the prior decision of the adjudicatory body.

b) **Restraining Order** - Seek a temporary restraining order or injunction to stop any continuing work.

c) **Hire Contractors at Owners Expense** - Hire appropriate contractors to correct the situation and charge the property owner for the cost of such corrective action. Woodcroft's employees and contractors have the right to enter homeowner's exterior property for the purpose of assessing and correcting violations.

d) **Assess Fines** – If a homeowner is found to still be in violation, after the allowable or agreed upon time to make corrections has expired, the owner may be assessed an immediate \$100 fine. A grace period of 5 calendar days will then be given for the owner to correct the violation. On the sixth day the owner may be assessed \$100 per day fines until the violation is corrected. Any further infraction of the same kind will be charged at \$100 per infraction without further hearing. (See: Declaration of Rights, Restrictions, Affirmative Obligations and Conditions Applicable to All Property in Woodcroft Part I, 5., Part II, 4., & Part V