



Tuesday, December 1, 2020

## **Coyote Hills HOA Violation Notice Process**

The document serves as the process to be followed for HOA violations in reference to the HOA Covenants & Bylaws.

1. Violation is brought to the attention of the HOA Board or board member.
  - a. Violation notices should be in writing either by email or USPS to the HOA mailing address identifying the address and description of potential violation.
2. The violation will be distributed to the HOA email and all board members for input and consensus that the violation is defined by the covenants. A picture should be provided with the violation as well.
3. Once a consensus is reached by the majority of the board of covenant violation, a letter will be drafted by the secretary which outlines the violation and pertinent covenant section language outlining the requirements.
4. If the board president is not available, someone from the board will reach out to the homeowner and notify them of the violation and expected cure date. This may be in person, by phone, or by email.
  - a. If the homeowner disputes the noted violation, a hearing with all board members will be scheduled where the homeowner can state their dispute and justification.
5. If the correction is not completed by agreed date, the letter will be mailed to the homeowner with a “correction no later than” date. This is typically 10 days unless a later date is agreed to between homeowner and HOA. At the same time an email will be sent to the HOA email and board with letter attached and date mailed.
6. If the agreed upon date is missed, a “second notice” will be sent and a noted fine will be imposed if violation is not cured by stated date. This notice will be emailed to the HOA email and board with letter attached and date mailed.

7. If the “second notice date” is not met, a third letter of non-compliance will be mailed by certified letter to the homeowner with fine due. This notice will be emailed to the HOA email and board with letter attached and date mailed.
  
8. Once 30 days of fine not being paid and no agreement of resolution with homeowner, the HOA will start the lien process with Elbert County. This will be done after HOA board approval.
  - a. If the correction includes funds being spent by the HOA to correct violation (trash cleanup, road repairs, etc), these costs may be included in property liens.

The HOA email should serve as an electronic repository for all communications between homeowner and HOA board.

The HOA should exhaust all avenues of correction with the homeowner before pursuing the lien process with the county.