

Colony Meadows II HOA



Regulation Enforcement Procedure Guidelines

Intent and Purpose

The purpose of this policy & procedure is to:

- provide a consistent & equitable process for enforcing neighborhood regulations
- promote the safety and welfare of neighborhood residents and their guests
- protect property values
- protect landscaped areas
- encourage equitable use of shared driveways, parking tracts, and trail easements

Complaint/Discovery

When a complaint is made or a violation is discovered, a Board member should reference the adopted *General Regulations* while visiting the property to assess whether or not a violation is present.

If it is determined that a violation exists, the investigating Board member should gather specific information about the violation such as:

- Date & time of violation
- Description of items or activity
- Placement of items, (ie front of property, edge of driveway)
- Make, model, color, license plate numbers, registration expiration, condition of vehicle, etc
- Length of time, ongoing/continuous activity
- Species and height of weeds

Information should be gathered using notes, pictures, testimonies, etc.

The investigating Board member should use judgment to determine whether the violation can be corrected through Mesa County services such as Code Enforcement, Animal Control, Planning & Building, Road & Bridge, Sheriff's Dept, etc.

(Mesa County can more effectively achieve results because they have greater resources than the HOA, including "Police Powers")

Courtesy/First Written Notice

The investigating Board member should utilize the services of the current management company to mail a *First Notice of Violation* letter to **both the owner of record & tenant** (if the property is rented).

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Notice letters should be consistent, professional, specific, courteous, and should cite the following:

- The specific activity that is in violation
- Date of violation
- A quote of the General Regulation that is being violated
- Time period to correct the violation, such as 10 days.
- Penalties for non-compliance

Second/Final Written Notice

The investigating Board member should visit the site within the given time period of the first notice (10 days) to assess whether the violation has been corrected.

If the violation has been corrected, notify the management company that the violation has been corrected.

If the violation has not been corrected, request that the management company send a *Second and Final Notice of Violation* letter to **both the owner of record & tenant** (if the property is rented).

(Certified mail may be utilized to provide proof of written notice to property owners in case of legal action)

The *Second and Final Notice of Violation* should reference and include all of the information of the *First Notice of Violation* letter.

Penalties

Again, the investigating Board member should visit the site within the given time period of the second notice (10 days) to assess whether the violation has been corrected.

If the violation has been corrected, notify the management company that the violation has been corrected.

If the violation has not been corrected, request that the management company assess the listed penalties/fines of the adopted *General Regulations* to the property owners of record via written notice.

According to the adopted *General Regulation*, fines can be assessed per violation each week the violation persists. In this situation, repeat the above process until the violation is corrected.

Fines can then be collected in the same manner as annual dues through liens, collections, and other legal options.