



Hiddenbrooke Property Owners Association, Inc.

SUMMARY OF CC&R PROCEDURES

IDENTIFYING A CC&R VIOLATION: A potential CC&R violation is identified by either: 1) OMNI, the Association's management company, who conducts monthly community inspection drives, or 2) an individual resident. Residents must fill out a Complaint Form on the Hiddenbrooke website (www.Hiddenbrookeonline.org under CC&R Information) and provide the required information or the complaint will not be accepted. The identity of the person filing the complaint will remain confidential. Complaints about a home in the Village, Villas, Reflections or Summit homeowner associations should FIRST be submitted to their respective HOA.

HOW COMPLAINTS ARE HANDLED:

- **First and Second Courtesy Notices:** After a potential violation is identified, OMNI will send out a Courtesy Notice informing the owner of the potential violation and requesting that it be corrected, often with an associated timeframe. The letters will include the specific section of the CC&Rs that relate to the violation. Owners are encouraged to contact OMNI if they have any questions, if they need additional time, or if they believe they have received the letter in error. If the violation relates to an issue under the purview of the Hiddenbrooke Architectural Review Committee (HARC), the owner is requested to contact HARC. If the owner fails to contact HARC, the violation will enter the enforcement phase. If there is no communication from the Owner, and after a second inspection drive the violation continues to exist, a second Courtesy Letter will be issued. The second letter will indicate that if there is no improvement regarding the violation, the owner may be called to a Hearing where monetary sanctions will be considered.

Notice of Hearing: After the third inspection drive, and if the violation still has not been resolved, a Notice of Hearing letter will be sent. The letter will include the amount of a possible fine, consistent with the latest Schedule of Fees and Monetary Fines, and the date for the Hearing. It is the owner's responsibility to inform the Board if a violation has been corrected prior to the Hearing. Hearings are held in Closed Session, and owners are encouraged to attend the Hearing to resolve the CC&R issue (s) and avoid a fine. HPOA can only discuss monetary sanctions with owners, not tenants. The results of the Hearing will be sent to the owner in a letter within 15 days of the Hearing date. If the same violation occurs within nine months of the first Courtesy Letter, the CC&R enforcement procedures will continue where they last left off, including continuation of fines.



- **Fines:** Monetary penalties are the primary enforcement mechanism for the CC&Rs, and the purpose is not to collect money for HPOA, but to encourage the resolution of a continuing CC&R problem. Fines must be approved by the Board at a Hearing, starting at \$50 for the first month. Fines increase each month thereafter according to the latest Schedule of Fees and Monetary fines. Billing statements will be sent periodically to owners stating the amount of the fines owed. A statement processing fee of \$5.00 will be added for each statement sent.
- **Collections:** If fines continue to accumulate, owners may be sent to Collection. Please be aware that there are significant fees associated with Collection that are above the amount owed in fines, and these fees go to the Collection agency.

UNAPPROVED BUILDING/LANDSCAPING/PAVING/ETC: Most all exterior construction, landscaping and hardscape require approval from the Hiddenbrooke Architectural Review Committee (HARC) prior to starting work. When ongoing work is observed, HARC will be contacted to determine if an approval action has been taken. If not, OMNI will immediately issue a letter requiring the owner to stop all work and submit an application to HARC. Failure to submit an application and plans to HARC (or follow HARC's recommendations) constitutes a violation of the CC&Rs and will result in enforcement actions.

The HPOA Policy is to insure that all complaints are evaluated in a fair and consistent manner.