

**DEEP CREEK SECTION 23
PROPERTY OWNERS ASSOCIATION INC.**

**ENFORCEMENT OF DEED
RESTRICTIONS**

Purpose: To establish a policy and procedure for enforcement of Deed Restrictions

Scope: Section 23 is a deed restricted community and all deed restrictions are enforced by the members of the Board of Directors of the POA. The Board of Directors shall have the authority and responsibility to carry out the following procedures:

Procedure:

1. A violation is received (from a board member, POA inspector, by phone, or mail) and entered on an Advisory Form which is maintained in the Section 23 POA office. **Information required: Street, house number, violations, and date.**

This form becomes the office log on which is recorded any information received concerning this specific violation. The information is also entered onto an Excel spreadsheet on the POA's computer for tracking.

2. An initial **Courtesy Notice** letter sent to owner, with a requested compliance time of:

Violation	TIMEFRAME Corrective action or contact office within
Using residence for trade / business / commercial services	48 hours
Fence height	5 days
Other structures buildings	5 days
Signs/Displays	24 hours
Home/garage exterior	5 days
Unsightly items	48 hours
Landscaping, including lawns, plants, shrubs, trees	5 days
Parking:	
vacant lots/ residential lawns	24 hours
boat	24 hours
trailer	24 hours
camper	24 hours
truck	24 hours
disabled vehicles	48 hours
Commercial vehicles	24 hours
Visible recycle bins/trash containers	24 hours

3. Following the grace period a re-inspection will be made. If non-compliant, a "**Final Notice**" is sent to owner by **certified** mail, with article number cited, giving the same compliance time as first notice. The Final Notice includes additional statement "matter will be turned over to attorney if not resolved"
4. Following the Final Notice grace period, a re-inspection will be made, if violation is non-compliant, the POA attorney will be asked to send letter, "**Attorney Letter #1**" with the same compliance date.
5. After the Attorney Letter re-inspection, if non-compliant, we advise attorney to send "**Attorney Letter #2**" with generic lawsuit.

After all of the communications are exhausted from the POA office and the attorney, and property is still not in compliance, a "**HISTORY**" **will be** prepared and forwarded to the Board for review and approval of proceeding to the legal process with next step "**Offer to Mediate**".

6. Repeated violations of the same deed restriction are handled from the point of previous notification or as deemed appropriate by the Board of Directors

Example: A courtesy letter was sent for a parking violation and problem was resolved. Six months later, a new parking violation occurs. Because the courtesy letter had been sent previously, the next step will be the certified letter unless deemed otherwise by the Board of Directors.

ADOPTED: April 28, 2016

AMENDED: November 16, 2017