

POLICY: COVENANTS/ARC VIOLATIONS

DETERMINATION OF VIOLATIONS

Annual Foundation Property/Home Tours

Upon written notification to residents, Foundation Property/Home Tours are conducted to survey for Covenants/ARC violations. Such tours take place twice a year, once in the spring and once in the fall.

The Property/Home Tour is based on the following covenant:

Supplemental Declaration D, Section 1, (d), #4: "A lot and all improvements thereon shall be maintained at all times by the Owner in good condition and repair. The Owner shall cause all dwellings and other improvements to be refinished, resurfaced, or repaired periodically as effects of damage, deterioration, or weather become apparent. Appearance, color, or type of painting or stain or other exterior condition shall not be changed without prior approval of the Architectural Review Committee. All appropriate repairs and replacements shall be made as often as necessary. Unsightly conditions shall constitute a nuisance as defined in Section (a) (1) hereof."

Written Complaints

Throughout the year, residents, staff, and ARC members may report violations. Such complaints must be in writing via email, letter, or on a Covenants Violation Report from in the Foundation office.

Upon receipt of a written complaint, staff will visit the site to verify the violation. Anonymous complaints will not be accepted.

RESOLUTION OF VIOLATIONS

Upon verification of a violation, the following action is taken:

- First Notification: A letter is sent to the Owner either as a notification to submit to the ARC for approval or a statement to remedy the violation in five to ten days, depending on the violation. If the Owner wishes to discuss or receive an interpretation of any covenant violation, they may attend the next board meeting. Owner should place comments, questions or concerns in writing and deliver to the Genesee Foundation office the Friday prior to the meeting they wish to attend. Owner will then be placed on the board agenda.
- Second Notification: Upon verification that no action has been taken by the Owner to remedy the violation, a second letter is sent via certified mail informing the Owner that immediate action is required or this matter will be referred to the Board of Directors for further action.
- Third Notification: If no action is taken following the second notification, the General Manager or Community Relations Manager will place a telephone call to the Owner.
- Final Action: If no action is taken by the Owner following the third notification, the matter is referred to the Board of Directors for further action, up to and including legal action.

APPROVED BY: Board of Directors
SUPERCEDES: October 12, 2005
APPLICABILITY: All covenant violations
REVIEW/APPROVAL October 8, 2008
EFFECTIVE DATE: October 12, 2005
REVIEW DATE: 2011 (3 years)