

**By unanimous vote of the Board of Directors at the regular meeting held May 2, 2016, the following ‘Policy and Procedures for CC&R Enforcement’ has been rescinded in its entirety.**

## **PROCEDURE FOR THE ENFORCEMENT OF CC&R VIOLATIONS**

The WVRRA Board of Directors, upon receipt of a proper complaint, will then take the following actions:

The Board will assign two Board members to conduct an investigation to determine if a violation of the CC&R's has actually occurred. The investigation shall be conducted and a recommendation will be made to the Board at the next meeting, but no longer than 31 days.

Upon determination that a violation has occurred, the Board will contact the property owner where the violation has occurred, in writing, via first class mail and "Certified mail, return receipt requested," requesting that the property owner attend the next Board meeting to discuss the violation.

NOTE: The violating property owner will be allowed one extension, based on extenuating circumstances, but not to exceed one additional meeting.

If the property owner attends the scheduled Board meeting, the violation will be discussed, in executive session, and an acceptable resolution will be proposed.

If the property owner agrees with the resolution, they will be given a reasonable period of time to resolve the complaint. If the complaint is satisfactorily resolved, a letter will be sent to the complaining property owner describing the resolution.

If the complained against property owner does not agree to attend the Board of Directors meeting, or, if they attend the Board of Directors meeting, but a resolution cannot be agreed upon, a letter will be sent to them, via "first class mail and "Certified mail, return receipt requested," articulating the Boards' options to resolve the issue, including the Boards' right to fine the property owner.

NOTE: The Board of Directors will normally assess a daily fine of \$10.00 for violations of the CC&R's. If the CC&R violation is not resolved within 30 days, the fine will increase to \$25.00 per day. After 60 days, if the CC&R violation has still not been resolved, the fine will increase to \$50.00 per day.

The Board has the authority to fine a property owner, during the period that they attempt to resolve the concerned issues, but hold the fines in abeyance pending the successful resolution of the issues. If the issues are satisfactorily resolved, the Board, may, at its discretion, waive all fines.

If the issues are not satisfactorily resolved, the Board can then require that the fines be immediately paid. Any fines not paid can result in a Small Claims Action, in an attempt to recover the past due fines.

### **POLICY ON CC&R ENFORCEMENT**

The WVRRA Board of Directors will take action on CC&R violations after:

Receiving a written complaint, signed by a WVRRA property owner,  
or

Receiving a direct complaint, made by a WVRRA property owner, in person, at a Board of Directors meeting, or

The Board of Directors initiates an investigation into an obvious violation.

The WVRRA Board of Directors **will not** take action on anonymous complaints.