

MIRROR LAKE COMMUNITY ASSOCIATION, INC.
COVENANT VIOLATIONS

Process for reporting, notifying, and remedial actions for violations of the Mirror Lake Covenants (CCR'S).

- 1) A homeowner that is aware of a violation of the CCR's should contact the HOA by filling out the "CCR Violation Contact Form" as made available here, to report the violation. You may elect to phone the HOA office to report the violation, but for tracking purposes, you will always be encouraged to use the "CCR Violation Contact Form" as well. All reports will be treated as "highly confidential". The HOA does not want to encourage a barrage of complaints, but we do want to exercise the primary purpose of the Association, to protect and preserve the value of the privately owned and commonly used property.
- 2) The HOA Manager or a team member will review the report and confirm there is a violation of the CCR'S.
- 3) If there is a violation of the CCR'S, the HOA Manager will then send a Property Inspection Violation Notice to the offending homeowner requesting the violation be resolved within seven (7) business days from the date of the notice. The offending homeowner is to respond to the HOA Manager within the notice period with proof that the violation has been resolved.
- 4) At the conclusion of the notice period, the HOA Manager, or a team member will confirm if the violation has been resolved or not. If not, then the HOA Manager will send a Second Notice of Violation to the offending homeowner requesting the violation be resolved within seven (7) business days from the date of the notice. A copy of the Second Notice of Violation will also be sent to the HOA Advisory Council. The offending homeowner is to respond to the HOA Manager within the second notice period with proof that the violation has been resolved, or the matter shall be reported to the HOA Advisory Council for review and implementation of a fine and loss of membership.
- 5) At the conclusion of the second notice period, the HOA Manager, or a team member, will confirm if the violation has been resolved or not. If not, then the HOA Manager will inform the HOA Advisory Council. At its monthly meeting, the HOA Advisory Council will review all outstanding violations and report those offending homeowners to be fined to the HOA Manager.
- 6) Fines and suspension to apply will be as follows:
 - (a) Non ARC Covenant Violation, as noted on Inspection Notices:**
 - Friendly Reminder, submission of "Property Inspection Violation Notice"
 - Second Notice – Warning of a fine and membership suspension.
 - Next step will be 1st fine of \$50.00 and membership suspension.
 - If no correction, 2nd fine of \$50.00, continued suspension plus warning of daily fine and could include request to appear before Advisory Council.
 - Next step will be daily fine, \$25.00 per diem, plus suspension until corrected.
 - Lien will be filed for collection if necessary, Cost \$125.00
 - Other collection remedies exercised at this point.
 - (b) Architectural Review Committee (ARC) Violation as noted on Inspection Notices:**
 - Friendly Reminder, submission of "Property Inspection Violation Notice"
 - Second Notice – Warning of a fine and membership suspension.
 - Next step will be a fine, to be determined on a case by case basis, based on the severity of the violation, plus membership suspension. The minimum will be \$150.00 and could be as much as \$5,000.00 in the case of failure to obtain approval for exterior modifications.
 - Lien and collection remedies as with Non ARC Covenant Violation above.

- 7) The HOA Manager will send a Notice of Fine or per diem assessment and membership suspension to the offending homeowner by first-class or certified mail. The offending homeowner will have fifteen (15) days from date of Notice of Fine to pay the amount as specified. The homeowner may however request a hearing within ten (10) days of the Notice of Fine regarding the fine imposed and suspension. The fine or per diem assessment will continue until the offending homeowner provides proof to the HOA Manager that the violation has been resolved. Upon receipt of such proof and confirmation that the violation is resolved, the HOA Manager will suspend the continuing fine and suspension, then report the resolution to the HOA Advisory Council.
- 8) The HOA Manager will inform the HOA Advisory Council at its monthly meeting of the status of all violations, notice sent/resolved/fine implemented/not resolved. The HOA Advisory Council will then elevate those violations that are egregious or need more serious attention to the HOA Board for further guidance and involvement.
- 9) All fines and per diem assessments shall be due for payment within fifteen (15) days from date of notice subject to request for a hearing no later than ten (10) days from date of notice. All rights to have the fine or suspension reconsidered are waived if a hearing is not requested within ten (10) days of the date of the notice.
- 10) Outstanding payment of fines shall be dealt in the same manner as outstanding assessments, i.e. a homeowner whose membership has been suspended will be deemed in bad standing with the HOA, restricting use of the amenities (pools, tennis, etc.). Additionally, unpaid fines or assessments will be treated as a delinquent account and subject to collection, including filing an Assessment Lien and Suit for collection if necessary.
- 11) The HOA monitoring of violations will include identification of repeat offenders. A repeat, that is, a same violation within a sixty (60) day period will constitute a repeat offender, triggering a seven (7) business day notice, with levy of a fine or per diem assessment along with membership suspension if not remedied during this period.
- 12) Please read the Covenants, Community Bylaws and relevant laws for a complete description of the remedies available to the Association. A copy of the Covenants is available on the website at www.mirrorlakehoa.net. The covenants represent a contract you have signed with the Community to abide by the rules not unlike any other contract that you sign in the course of your day to day affairs.

CCR Violation Contact Form

Name*

First

Last

Date*

Your Email Address*

Address of Violation*

Details*

Note: All fields marked with red asterisk* must be filled