

Alpha Subdivision Covenant Enforcement Policy

Adopted: [Insert Date]

1. Purpose

The purpose of this policy is to establish a fair and consistent procedure for enforcing the Covenants, Conditions, and Restrictions (CCRs) of Alpha Subdivision to preserve the appearance, safety, and value of the community.

2. Authority

This policy is adopted pursuant to the authority granted in the Declaration of Covenants, Conditions, and Restrictions for Alpha, the Bylaws of the ACA, and applicable state law.

3. Scope

This policy applies to all property owners and their guests within Alpha. It covers all violations of recorded CCRs and Architectural Guidelines (if applicable), whether observed by the Board, management, or reported by members of the Association.

4. Enforcement Procedure

A. Investigation of Violations

- Any suspected noncompliance may be reported preferably in writing (Attachment A), or verbally by a homeowner, committee member, or Board member, and
- The Board or its designated agent will investigate the report and may inspect to verify the noncompliance.

B. Notice of Violation

- If a violation is confirmed, a written Notice of Violation will be sent to the property owner via mail or email. The notice will include:
 - Description of the violation
 - Reference to the applicable CCR provision(s)

C. Opportunity for Hearing

- The owner may request a hearing in writing within 14 days of the notice.
- A hearing will be scheduled before the Board within 30 days of the request.

- The owner will have the opportunity to present evidence or an explanation.
- The Board will issue a written decision within 7 days after the hearing.

D. Suspension of Project Approvals

- Upon verification of a CCR violation, the Board may immediately suspend the review and/or approval of any current or future architectural or construction projects for the property owner. The Board may provide notice to any other organizations that require CCR compliance as a requirement for participation.
- The suspension will remain in effect until the violation is resolved to the satisfaction of the Board.

E. Legal Action

- If a violation is not resolved promptly following notice and hearing, the Association reserves the right to pursue legal action, including injunctive relief, to enforce compliance.
- All costs of enforcement, including attorney fees, may be assessed to the owner.

5. Remedies Not Exclusive

This policy does not limit the Committee's rights to other remedies allowed under the CCRs or by law, including self-help or emergency action when appropriate.

6. Confidentiality and Non-Retaliation

All violation reports and enforcement proceedings will be handled confidentially to the extent possible. Retaliation against anyone who reports a violation in good faith is strictly prohibited.

7. Amendments

This policy may be amended by the Board of Directors from time to time by a majority.