



# Fawn Lake Homeowners Association Policies & Procedures – February 2017

---

## **Fawn Lake HOA Violation Process & Procedures**

In accordance with the Fawn Lake governing documents these policies and procedures shall define the standard operating procedures for the Fawn Lake Homeowners Association and their agents with respect to processing violations under the rules of the community.

This document supersedes and replaces all previous documents entitled “Fawn Lake HOA Violation Process & Procedures”

Fawn Lake is a Deed Restricted community and in that, there are certain rules and regulations that must be followed in order to maintain the aesthetics of the neighborhood, maintain high property values and make this community one that people want to call their home. The Association has a fiduciary responsibility to enforce the deed restrictions where possible and residents have an obligation to conform to the restrictions. A list of community rules and regulations can be found on the community website at <http://www.fawnlakehoa.org/documents/deed-restrictions.pdf>

### **1.0 VIOLATION REPORTING**

Violations can be reported in a number of ways.

- 1.1 Any Member can report a perceived violation directly to the property management company or to the Board of Directors of the Community. The property management company will register the violation for review.
- 1.2 Property Management company will conduct a regularly scheduled inspection of the neighborhood
- 1.3 Board of Directors or the Architectural Committee can submit violations to the Property Manager.

### **2.0 VIOLATION REVIEW**

The property manager will be empowered to review all perspective violations and determine if they constitute an actionable violation based on deed restrictions and guidelines set by the Association. Photographic evidence will be collected where there is a physical violation for evidence, review and follow up.

### **3.0 VIOLATION NOTICES**

Violations will be handled through our Management Company’s automated violation system. All items deemed a violation will be entered into the automated system which will send out standard notifications to homeowners and residents.

Residents will receive an initial friendly reminder or first notice of violation. A second notice will be sent if the violation has not been addressed in the specified time frame. If the violation has still not been addressed after the second notice, and no correspondence has been received by the resident or homeowner, the matter will be automatically referred to our attorney and a letter will be sent from the Attorney requesting compliance. All charges associated with Attorney action will be billed to the homeowner.



# Fawn Lake Homeowners Association Policies & Procedures – February 2017

The length of time required to address a violation is based upon the severity level or categorization of the violation. The Association has created the following categories and time frames for violation compliance.

## 4.0 VIOLATION CATEGORIZATION AND TIME TO CORRECT

**Immediate Deed Restriction Violations:** These violations constitute a breach of the written rules as specifically defined in the HOA Governing documents and are specific to acts committed against those rules including conducting work without formal approval from HOA and contradictory to rules under the Declaration Document Article II Sections 9 through 13.

**Time to Comply from Initial Letter:** 7 Days from date of letter

**Deed Restriction Violations** (For full list consult deed restriction document)

Advertising Signs and other signs other than for sale / rent signs (Art II, Sec 9)\*

Illegal parking of RV, Boat, Jet Ski, Trailer (Art II, Sec 13)\*

Improper storage of Inoperable / Unlicensed vehicles (Art II, Sec 13)\*

Parking of vehicles on Grass & Easement (Art II, Sec 9, 13)

Debris on property in public view (Art II, Sec 2)

Trash Cans/Recycle Cans in public view outside of pickup days (Art II, Sec 2)

Basketball hoops including Portable ones installed and left standing (Art II, Sec 12)

Not removing Animal Waste (Art II, Sec 10)\*

Pets not kept on leash when walking in community (Art II, Sec 10)

Noise Disturbances including pets (Art II, Sec 9,10)

Illegal Use or Construction on Lake or Pond Area (Art II, Sec 22)

Illegal Construction or Erection of appurtenances (Art II, Sec 12)

\* Denotes violations which are also considered County of Hillsborough restrictions and are enforceable by County bylaws.

**Major Violations:** These violations constitute work being conducted without seeking approval from the Association Architectural Committee in violation of deed restrictions article VI, Section 1;2. Under Deed Restrictions it is illegal to make any modifications or changes to the dwelling without submitting an application for architectural approval. Items requiring architectural approval are contained in the architectural guidelines document.

<http://www.fawnlakehoa.org/architectural.html>

**Time to Comply from Initial Letter:** 7 Days

**Minor Violations:** These violations are maintenance issues listed under Article II, Section 12, 18 and 20) which need closer attention by homeowner but are not critical or economically restrictive. They include but not restricted to items such as maintaining and cleaning of driveways, walkways and building façade, replacing, pruning or trimming of small trees, shrubs and bushes, weeding of lawns



## Fawn Lake Homeowners Association Policies & Procedures – February 2017

---

and gardens and cleaning of building trim and mailbox. Homeowners will be notified of these violations as a reminder. Violations remaining unattended after specified duration will be escalated.

**Time to Comply from Initial Letter:** 30 Days from date of letter

**Transient Violations:** These are violations of a transitory or temporary nature that should be corrected by the homeowner without any intervention by the association. Transient violations would include; basic property maintenance such as landscape lawn cutting and shrub trimming, removal of seasonal decorations, and street or common area parking. During a drive through inspection, a record of these violations will be made; however, no action will be taken unless these violations persist through the next scheduled inspection or whose continued infraction is noted or reported at which point they will be escalated based on the above designations.

### 5.0 VIOLATION REDRESS AND APPEAL

All residents have the right to appeal any violation that they disagree with or feel has been unfairly assessed against their property.

- 5.1 Any member receiving a violation, which cannot make the necessary repairs or corrections within the allotted time frame or contests the violation, is required to contact the property management company in writing based on directions contained within the Violation letter. Confirmation of the resolution of the violation is appreciated but not mandatory.
- 5.2 Should the Association not address the grievance to the satisfaction of the member, and the member continues to be in violation of association covenants, the member has the right under Florida statutes to request a formal hearing to present evidence and state their case before a panel of non-board or committee members prior to the legal action deadline.
- 5.3 If the matter is still not solved to the members' satisfaction, the member is free to pursue legal action against the association.

### 6.0 FEES AND PENALTIES

- 6.1 The first violation notice will be sent to the residential address where the violation occurs. A copy of that violation notice will also be sent to the homeowners address on file if different from the residence. If a second notice is sent, and no appeal or request for extension has been received then a \$25.00 fee will be levied against the property to cover guaranteed mail delivery services.
- 6.2 Should the violation persist at the end of the deadline of the second notice and no appeal or request for extension has been received, the matter will be transferred to the Associations' Violation Attorney and all correspondence and legal costs incurred to process that violation will be billed back to the property.
- 6.3 Most often associated with building and lawn maintenance, the association may at their discretion pay to perform the minimum work necessary to rectify the violation. A specific assessment for the cost of the repairs may be levied against the Owner's lot.

## Fawn Lake Homeowners Association Policies & Procedures – February 2017

---

- 6.4 Residents receiving more than three (3) separate violations for the same violation issue within a six (6) month time frame will automatically be escalated to the Association Attorney regardless of violation status.
- 6.5 The Association WILL NOT waive or refund any fees or penalties except in those circumstances where they were imposed contrary to these published procedures and processes.

### **7.0 CODE OF CONDUCT**

It is the responsibility of all members of the association to comply with and adhere to the restrictions set forth in the Fawn Lake Deed Restrictions document and to comply with notifications regarding those restrictions. No one enjoys receiving criticism regarding their properties but it is necessary to ensure that ALL homeowners comply to the same set of standards.

The following rules will be observed by the association when communicating with homeowners.

- a. All homeowners will be addressed in a respectful and courteous manner.
- b. The association wishes to encourage communication and commitment from homeowner to address the issue within reasonable time frames or request extensions.
- c. The Association will make arrangements for residents to be heard if there are grievances.
- d. The Association will attempt to provide the homeowner with helpful tips, techniques or alternatives to addressing their issues.
- e. The Association will recognize an Owner/Resident's willingness to comply and ongoing maintenance in any and all decisions regarding actions and enforced compliance.
- f. The Association will be sympathetic to homeowners.

Signed and adopted on the 3<sup>rd</sup> day of April, 2017

---

Greg Smith  
President, Fawn Lake HOA

---

Douglas Tam  
Secretary, Fawn Lake HOA

