



Brookgreen Forest Homeowners Association, Inc. Covenant Enforcement Policy

It is the policy of the Brookgreen Forest HOA Board of Directors (Board) to enforce the Brookgreen Forest Homeowners Association's Conditions, Covenants, and Restrictions (CCRs) in a fair and consistent manner. **Keep in mind that personal circumstances are not known by the Board, the Association, or the Association's Property Management Company.**

All reported complaints or observed violations are investigated by the Association's Property Management Company. The Property Management Company will notify the Board when violations or suspected violations are found. At the direction of the Board, the Property Management Company will send notification to the homeowner, based on the homeowner's communication preference.

The procedures for violations and the assessment of fines, as allowed by the CCRs and the North Carolina Planned Community Act (NC Statute 47-F), are as follows:

- First Letter - (Can be sent via email)
 - The homeowner will receive a courtesy letter that includes a notice of non-compliance and will explain the nature of, and how to correct, the CCR violation.
 - The homeowner will be given a timeframe for compliance with the CCRs. Compliance timelines will depend on the nature of the violation and what is stipulated in the CCRs.
 - No fine is assessed at this time.
 - **The homeowner is responsible for communicating directly with the Property Management Company to agree upon a date for compliance, and regarding any delay in compliance. Additional time may be granted if reasonable justification is provided.**
- Second Letter - (Must be sent via USPS)
 - The homeowner will receive a final notice of non-compliance and will explain the nature of, and how to correct, the CCR violation.
 - The homeowner will be given a deadline for compliance with the CCRs. Compliance deadlines will depend on the nature of the violation and what is stipulated in the CCRs.
 - Also included in this notice is a reminder of potential fines of up to \$100.00, per violation, per day. No fine is assessed at this time.
 - **The homeowner is responsible for communicating directly with the Property Management Company regarding any delay in compliance. Additional time may be granted if reasonable justification is provided.**
- Third Letter – (Must be sent via USPS)
 - If the compliance deadline has passed, and the issue is still unresolved, a letter is sent to the homeowner informing them of a Due Process Hearing.
 - This notice will outline the nature of the continued violation, as well as the date, time, and place of the hearing.
 - At the Due Process Hearing, the homeowner will be given an opportunity to meet with the Board and explain why they believe they are not in violation of the CCRs and, subsequently, why they should not be fined.
 - During the hearing, the Board will engage in open discussion with the homeowner.
 - After meeting with the homeowner, the Board will make their decision. This decision is final and cannot be appealed. The homeowner is notified of the Board's decision by letter from the Property Management Company.
- Late Fees and Interest Charges
 - The homeowner will be notified of all fines assessed, in writing, by the Property Management Company.
 - Fine assessments are due thirty (30) days from the date of notification.
 - Fine assessments not paid within thirty (30) days will be charged a \$15.00 late fee for each successive month of delinquency.

- The homeowner is responsible for all costs associated with the collection of fines and fees assessed.
- Unpaid fines may result in a lien being placed against the property.

Covenant Enforcement Policy Guidance

The following corrective timelines are generally specified:

- Yard Maintenance – 7 Days
 - Examples Include:
 - Mowing
 - Edging
- Landscaping – 14 Days
 - Examples Include:
 - Mulching
 - Shrub and Tree Trimming
 - Weeding
- Minor Exterior Repairs – 30 Days
 - Typically would not require a contractor
 - Estimated repair cost under \$500
 - Examples Include:
 - Minor Paint Touch-up
 - Minor Siding Repair
 - Minor Wood Rot Repair
 - Minor Roofing Repair
 - Minor Fence Repair
 - Pressure washing
- Minor Exterior Repairs – 90 Days
 - Typically would require a contractor
 - Estimated repair cost over \$500
 - Examples Include:
 - Major Paint Touch-up
 - Major Siding Repair
 - Major Wood Rot Repair
 - Major Roofing Repair
 - Major Fence Repair
 - Front Stair Repair
 - Garage Door Repair
 - Window Replacement
- Major Exterior Repairs – 180 Days
 - Typically would require a contractor
 - Estimated repair cost over \$2000
 - Examples Include:
 - Whole House Painting
 - Siding Replacement
 - Chimney Rebuilding
 - Whole House Roofing
 - Fence Replacement
 - Deck Repair