

**APPROVED BY THE BOARD OF DIRECTORS
December 15, 2020**

**WOODLAND RESERVE COMMUNITY ASSOCIATION, INC. AS AUTHORIZED
BY COVENANT ARTICLE 14.05 “ADDITIONAL RULES”**

Covenant Enforcement

as authorized by the provisions in the Woodland Reserve Covenants Agreement and the Woodland Reserve ByLaws, which were agreed-to by signature of all Woodland Reserve homeowners at the time of closing on their properties

Guide to enforcement steps when a covenant violation is found during a Covenant Committee drive-through or is otherwise brought to the attention of the Covenant’s Committee:

1. **First notice: 15 days or agreeable timeframe to correct violation** – the Committee will:
 - a. Depending upon the seriousness of the violation or the amount of work that will be required to correct the violation, a determination will be made by the Committee whether to have a Committee member attempt to personally visit with the homeowner prior to any written communication to talk through the violation and agree to a 15 day or other acceptable time frame for correction of the violation.
 - b. If a personal visit is initially attempted but not successful or not required in (a.) above, the homeowner will be sent a friendly, simple email message identifying the violation. The email will request the violation be corrected within 15 days of receipt. It will also require the homeowner to acknowledge receiving the email within seven days and indicate the homeowner’s intentions to correct the violation.
2. **Second notice: Additional 15 days or agreeable timeframe to correct violation** - If there is no response or action taken by the homeowner in step 1 above, a **second notice of violation** and corrective action required will be sent to the homeowner via U.S. Mail certified letter. The homeowner has **15 days from the certified receipt date** (which is now a total of 30 days from initial notice) to respond to the Committee via email at woodlandreservehoa@gmail.com acknowledging receipt and provide:
 - a. Notice that the corrective action has been completed, or propose an alternate date for the completion of the corrective action that is agreeable to the Committee, or
 - b. Request an appeal hearing with the Committee on the violation.
3. **Penalty and action phase:** If the homeowner does not correct the violation within the additional **15 days (30 days from the first notice) as in step 2, or by the alternate agreed-upon date for corrective action in step 2**, the Board of Directors may levy a fine of **\$100** (payable in 15 days to Woodland Reserve Community Association, Inc. P.O. Box 15373, Lenexa, KS 66285) against the property owner who has violated the covenant requirement.

- a. After the \$100 fine is assessed, if the violation is not corrected within an additional **15 days** (which is now a total of 45 days from the initial notice) after step 2 has passed, or alternate agreed time has passed, the violation will be considered an **Unresolved Violation**.
4. **Unresolved Violations.** After the expiration of the 45 days above for which no hearing is requested, or after an appeal hearing, the Board of Directors may:
- a. Direct the Association’s attorney to prepare and send a formal Demand Letter to the homeowner for implementation of the corrective action and payment of all association costs.
 - b. Pursue all rights of action in the governing documents, available at law or in equity, including, but not limited to, the remedy of injunctive relief and obtaining a monetary judgment of all costs and expenses, including reasonable attorney fees, and damages.
 - c. Action may include the Board of Directors engaging a contractor to complete the corrective action to resolve the violation, with the cost of the contractor being the homeowner’s responsibility.
5. **Collection Provisions.** Fines, as well as costs and expenses necessary to enforce this policy can be assessed by being added to the homeowner’s Annual Association Dues for the coming year.

References:

Woodland Reserve Community Assoc. rights of action available to the Board of Directors are identified in the governing documents cited below:

Covenants Agreement:

Woodland Reserve Declaration of Conditions Covenants & Restrictions

- Page 30, paragraph 10.01 Maintenance Required By Owner
- Page 38, paragraph 14.01 Enforcement – Right of Action

By-Laws:

- Page 12, section 19 - Enforcement