

Cornwallis Hills Property Owners' Association

Complaint and Violation Policy and Procedures

Effective Date: January 1, 2024

Purpose: The following policy and procedures are enacted to uniformly and effectively provide enforcement of rule infractions under the CHPOA Restrictive Covenants along with other CHPOA Board rules, guidelines and policies. The intention of the CHPOA Board is to provide a fair and reasonable procedure for receiving complaints, investigation of said complaints, and providing an enforcement mechanism in order to ensure compliance by property owners, contribute to the attractiveness of the community, and to maintain property value of the CHPOA membership.

Policy: The CHPOA Board has adopted the following policy and procedure for the processing and enforcement of complaints and violations of the CHPOA Restrictive Covenants, guidelines, policies and other rules duly approved by the CHPOA membership and/or CHPOA Board.

Definitions:

- CHPOA – Cornwallis Hills Property Owners' Association
- NCPA – North Carolina Planned Community Act (Section 47-F)

Policy and Procedure Detail:

- The Property Manager only initiates a violation action if he receives a complaint from an owner who completes the violation/complaint form in full and submits it to the Property Manager.
- Once received, the Property Manager logs the complaint and investigates to verify if the complaint is a verifiable violation of any authentic rule, policy, guideline, or covenant of the CHPOA.
- If the violation complaint is not a verifiable violation of any rule, policy or covenant of the CHPOA, the Property Manager will inform the complainant that their complaint does not fall under his purview and may suggest other avenues to help the complainant resolve the concern.
- Verification may take the form of written documentation, contemporaneous notes, or pictures of the property and the violation thereon.
- Prior to notifying the property owner of their violation the Property Manager will walk or drive throughout the Cornwallis Hills community to determine if any other properties are in violation with the same offense (e.g., if the original complaint described a maintenance of a structure violation, the Property Manager would examine all other properties in Cornwallis Hills from the street or common area property to determine if other properties may also have a maintenance of a structure violation). The Property Manager will not seek out violations by trespassing on private property.
- The Property Manager will log the names and addresses of any property owners in violation of the same rule, policy, guideline, or covenant as the original verified violation complaint.
- The Property Manager will then notify all property owners in violation of the rule, policy, guideline or covenant that he finds which are of the same type as the original verified complaint to inform them

of the violation and what they must do to remediate the violation. These then become active violation cases.

- The Property Manager may contact the property owners by phone, in person meeting or in writing (e.g., email or letter). Written communication is recommended but not required. The form and message of the communication with the property owners is left to the discretion of the Property Manager.
- In communicating with a property owner the Property Manager will always assume that the property owner's intention is to follow all CHPOA rules and may only need to be reminded or educated of the CHPOA rule to come into compliance. The Property Manager will only communicate in a more assertive manner if the property owner resists, ignores, or delays taking corrective action to address the violation.
- The Property Manager will use judgment in providing an appropriate time frame for the property owner to come into compliance.
- The Property Manager will report on all active complaints and violations to the CHPOA Board during executive session.
- The Property Manager will monitor the progress of the violation and its correction, reporting to the CHPOA Board at regular intervals.
- The Property Manager will attempt to resolve all complaints in a professional manner and as best as possible in a way that maintains a sense of community among the property owners and residents of Cornwallis Hills.
- The Property Manager will not disclose to anyone (e.g., property owners, complainants, or the CHPOA Board) the name of the complainant.
- The Property Manager will not 'police' the community to look for violations or file complaints against any owner himself except as described above.
- The Property Manager cannot initiate fines against any property owner as this authority is reserved for the CHPOA Board. However he may inform the property owner that fines are a possible consequence if they do not come into compliance.
- If fines are being considered, the Executive Board of the CHPOA will be notified by the Property Manager. Before fines may be imposed and to comply with NC statute 47(f)-3-107.1, the property owner must be informed of their right to be heard before the Executive Board of the CHPOA. The property owner will be given notice of the charge, opportunity to be heard, present evidence and receive notice of the decision. Notice to the property owner will be provided by the Property Manager.

Applicable Legislation/Regulation and other Related References: CHPOA Articles of Incorporation, CHPOA Covenants, CHPOA By-Laws, Current CHPOA Board Policies, North Carolian Planned Community Act (Section 47-f), NC General Statutes

Responsible Position/Group: The Processing of violation complaints will be the responsibility of the Property Manager. Fines against a Property Owner can only be initiate or applied by the CHPOA Board of Directors.

Approved By: CHPOA Board of Directors on December 6, 2023

Amended Date:

Dave Scanga

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President, CHPOA Board of Directors

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Secretary, CHPOA Board of Directors

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