

Pecan Estates Neighborhood Association, Inc.
Covenant Enforcement Process

Adopted January 17, 2019

Purpose: Pecan Estates Neighborhood Association, Inc. is charged under the Association's governing documents with the enforcement of the architectural guidelines and the declaration of covenants, conditions and restrictions. Pecan Estates Neighborhood Association is committed to applying all of those requirements uniformly, consistently, and fairly, with the goal of maintaining the great atmosphere of our neighborhood and protecting our property values.

Consequently, the Board of Directors has approved the following procedures to ensure proper and fair enforcement of the Covenants.

It is the responsibility of every homeowner or tenant to be familiar with and observe the Covenants.

The current policy of the Board is not to police the neighborhood, but to determine if a violation has occurred when notified of a possible violation by a homeowner (this includes Board members) or by HOA Management, Inc. during the monthly drive through inspection of the neighborhood and the common areas. If a homeowner observes a possible covenant violation, they may notify the Board in writing via mail, by email, or phone call to the Association's management company, **HOA Management, Inc.**, at the contact information found at the bottom of this document. Any Pecan Estates Neighborhood Association homeowner may submit a possible violation (this includes Board members). In addition, an association manager, or other entities hired by the Board, may initiate the covenant enforcement process.

When the Board receives notification of a possible covenant violation, the Covenants Liaison (or a delegated Board member) will make an initial determination as to whether or not a violation exists. If the Covenants Liaison (or a delegated Board member) believes that a violation exists, they will present it to the Board for review.

The Board will review the violation and confirm that there is a violation. If the Board agrees that a violation HAS NOT occurred, the Covenant Liaison (or a delegated Board member) will contact the initiating party, via email or letter, and advise them of the Board's decision.

Violation Process: If the Board agrees that a violation HAS occurred, the following process will be initiated:

Step 1: A letter will be sent to the homeowner whose property contains the violation. The first letter will advise the homeowner of the following:

- That a violation has occurred pertaining to the referenced Section of the Deed of Dedication
- A description of the violation
- That they have 14 days to correct the violation
- Failure to correct the violation within 14 days will result in a Fine of \$50.00

The Covenants Liaison (or a delegated Board member) will confirm whether or not the violation has been addressed within the allotted time. If so, the process ends.

Step 2: If the violation is not corrected within 14 days, the Covenant Liaison (or a delegated Board member) will advise the Board that the violation has not been corrected. The Board will then send a second letter to the homeowner.

The second letter will advise the homeowner¹ of the following:

- A description of the violation
- That the violation has gone uncorrected for 14 days
- They have been Fined \$50.00
- Failure to correct the violation within an additional 14 days will result in a second, additional Fine of \$100.00.

Again, the Covenants Liaison (or a delegated Board member) will confirm whether the violation has been addressed within the allotted

time. If so, the process ends.

Step 3: If the violation is not corrected within 14 days, the Covenants Liaison (or a delegated Board member) will advise the Board that the violation has not been corrected. The Board will then send a third letter to the homeowner.

The third letter will advise the homeowner¹ of the following:

- A description of the violation
- That the violation has gone uncorrected for at least 28 days
- They have been Fined an additional \$200.00 (\$350.00 total)
- Failure to correct the violation within an additional 14 days will result in an additional Fine of \$200.00, and a Lien may be filed by the Pecan Estates Neighborhood Association against the property. The Lien will include any lien fees, filing fees, postage, and/or attorney fees, payable by the homeowner.

Again, the Covenants Liaison (or a delegated Board member) will confirm whether the violation has been addressed within the allotted time. If so, the process ends.

Step 4: If the violation has not been corrected, the Board will review the violation and determine if a final notice will be sent to the homeowner.

The Board will send a final certified letter advising the homeowner¹ of the following:

- A description of the violation
- That the violation has gone uncorrected for at least 42 days
- They have been Fined an additional \$200, for a total of \$550.00 in fines.
- That a Lien has been / will be filed against the property for \$651, which consists of \$550.00 in unpaid fines plus \$111.00 for administrative costs including the initial lien fee, postage, filing fees, and/or attorney fees, and will continue to accrue any similar costs until the outstanding dues and costs are paid in full, all of which are payable by the homeowner.

Once filed, a copy of the Lien will be sent to the homeowner.

Extensions: After receiving a violation letter, a homeowner may request an extension of the specified deadline for correcting the violation. Extension requests should be made in writing, via email or mail, to the attention of the Pecan Estates Neighborhood Association Board through HOA Management, Inc. If the homeowner requests an extension during this process, the Board will review the request and vote. If an extension is granted, the homeowner will be notified and expected to remedy the violation by the approved extension deadline. If not, the violation process continues where it left off.

Appeals: A homeowner, not the renter, has the right to request a meeting with the Association Board to review the violation, and request a hearing on the Fine. The result of such hearing may be to either waive the Fine, grant an extension of time to resolve the violation, or take any action the Board determines appropriate.

If the violation is not corrected: The Pecan Estates Neighborhood Association Board of Directors may exercise its rights under Section V of the Deed of Dedication.

Multiple (repeat) violations, after step 4 has been applied, will be treated as new violations.

To report an issue, ask a question, or request a Board response, please contact:

Pecan Estates Neighborhood Association, Inc.
c/o HOA Management, Inc.
PO Box 701565
Tulsa, OK 74170-1565
Phone: (918) 493-1765
Email: info@hoa-management-inc.com
