

Directive 2019-01 Processing Repeat Violations

1.0 Purpose

This Directive establishes the process to follow if a resident violates the same policy addressed in the Covenants and Restrictions more than once in a 12-month time frame as described in the Homestead at Jackson Creek Homeowners Association Covenants & Restrictions (C&Rs), Article 2, paragraph 4.5, which states as follows.

“Repeat Violations. Breaches, noncompliance, or violations of the same nature recurring within a twelve (12) month period after the homeowner has been notified in writing are considered Repeat Violations. For any Repeat Violation, the homeowner upon receipt of written notice will have five (5) days from the date of the letter to correct or remediate the violation. Upon expiration of the five (5) days, Declarant may pursue any and all available legal remedies including those referenced herein.”

2.0 Scope

This directive applies to Filings 1, 2, and 3 of Homestead at Jackson Creek.

3.0 Policy

After a resident has been notified of violation and the violation is corrected, any recurrence of the same violation in a 12-month period is considered a ‘repeat violation.’ When a repeat violation is identified, the Board of Directors will take the actions described in Directive 2019-03, Covenant Enforcement Policy. As described in that policy (para 9.4),

“Each incident or each day of a continuing violation may be considered a separate violation for which any maximum fine may be imposed. For example, each day during which landscaping or parking or roofing violates any Governing Document, is a separate violation and may result in a separate fine.”

Therefore, after a violation has been corrected, or each day a current violation continues, may be considered a repeat violation and can be processed in accordance with paragraph 9 of that policy.



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Approvals:

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Sep 18, 2019
Date

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