

## Wynfield Forest Board Article about Violation Letters

Fall 2010

You've been living here for years, you love your neighbors, you enjoy the community, and then...IT HAPPENS! You receive a letter in the mail from our management company notifying you that, in some way, you've violated the community covenants. All these questions pop up in your head. Why did you receive it? Who reported it? Do they know how long you've lived in this community *without* receiving a violation letter? Do they know all the work you've done in the community? Don't they understand that the situation doesn't bother your neighbors at all? Are they just being mean or picking on you?

Fortunately, as a rule, there aren't very many violations in the Wynfield Forest community and typically issues are rectified rather quickly after a letter is sent to the homeowner. Some of our more common issues include: garbage cans being left out, mold growing on the roof or side of the house, the parking of commercial vehicles in driveways during night / weekend hours, not taking care of the landscaping as required, and making certain changes to the house without receiving the necessary approval beforehand.

Recently, the Board received some feedback about the form letter that is sent to homeowners notifying them that they've violated the covenants in some way. The feedback indicated that the tone of the letter wasn't friendly enough. Because we understand that it can be alarming to receive a letter advising that the community may have an issue with something you're doing (or not doing), we reviewed the letter to ensure that it is not offensive. After reviewing it, we concluded that, while we agree it's not overly friendly, it's not offensive. Quite honestly, there's no *very friendly* way to communicate to someone that they've violated the covenants and that if it isn't rectified soon thereafter, they could be subject to a fine.

Although we decided not to make any changes to the form, we did think it would be a good idea to address the subject of covenant violations. Our covenants aren't any more restrictive than covenants in use by other communities throughout the country. They are based on generally accepted maintenance standards and prevent homeowners from creating situations that are considered eyesores for their neighbors. The covenants are designed to ensure that the appearances of our homes are kept up to certain standards, thereby maintaining our home values. Because our covenants are enforced, the community remains very attractive. Let's face it -- our covenants are what drove most of us to move to Wynfield Forest.

On a regular basis, our management company is tasked with examining the neighborhood to identify violations. In addition, homeowners occasionally contact the management company to report issues – this could be a next-door neighbor or a neighbor who lives on the opposite side of the community who sees the issue every day during their daily walk. Letters are sent to the respective homeowners by the management company when violations are noticed/reported. (**Note:** The Board of Directors does NOT prescreen the violation letters to determine who should/should not receive them – violation letters are sent to all homeowners in violation of the covenants. All of us are subject to the covenants: Board members, committee members, and non-Board/committee members.) The homeowner is thereby notified of – and asked to remedy – the situation. If it is not rectified in a certain period of time and the homeowner has not taken the appropriate steps to notify the Board as to when it will be rectified, follow-up letters are sent. In rare situations, hearings are then scheduled at which time the homeowners can address the issue with the Board. In a few situations, the Board has had to assess fines to have the issue resolved.

We hope that you do not receive a violation letter in the future. The Board and the management company do not like sending them or assessing fines, just as we all don't like receiving them or paying fines. If you do receive one, please don't take it personally and please don't be offended. The letter is not directed at you, but at the issue causing the violation. The purpose of the letter is to ensure that we maintain our home values and that we all consistently enjoy the beauty of our neighborhood. The letters are not intended to single you out, irritate you, or make any value judgments. Should you receive one, please remedy the situation as soon as possible, or contact the Board to discuss, if necessary.