



## Trailwood Valley HOA

November 11, 2008

Trailwood Valley Home Owners  
Trailwood Valley Circle and Long Pine lane  
Raleigh, NC 27603

Dear Owner:

This important letter is being sent to you to make you aware of the current enforcement policy for Covenants and General Rules violations. This is in response to several recent court rulings in North Carolina that impact all home owner associations in the state. These rulings have better defined the responsibilities of the Association with respect to enforcement. These interpretations help guarantee that the home owner has due process while it also strengthens the ability of the HOA to fine for violations. The Covenants and the current Rules & Regulations are available at the website: [www.grandchestermeadows.com](http://www.grandchestermeadows.com) (select Trailwood Valley from the community drop down menu). In addition to having these documents available at all times, the HOA regularly sends out reminders about the most common rules violations.

The following is the process that will be followed for all future violations with the exceptions of parking and late night noise which will be addressed separately:

1. The property manager will inspect the property weekly for violations and also follow up on reports from residents about violations. The owner of any property in violation will receive a notification of the violation with six days (or 15- 30 days for maintenance violations) to correct the violation. **Please refer to the Trailwood Valley Townhomes Covenants for more information about different types of violations.** An owner may submit a written request for an extension which will be submitted to the Board of Directors for their decision.
2. In the event that the violation is not corrected in the specified time; the owner will be required to appear before a review panel **consisting of members appointed by the Board of Directors** to determine only the following: a) is there a violation? and, b) was the owner notified? The owner will receive a fine of \$50 for a first offense or \$100 for a second offense if the answer is yes to these two questions and the owner will be allowed the same amount of time to correct the violation before additional action will be taken by the HOA. The owner will not receive a fine if it can be shown that the proper notification was not provided but the owner will still have the

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responsibility of correcting the violation if it is determined that there is a violation. Otherwise, the matter is dismissed if it is determined that the violation does not exist.

3. The owner will also be formally notified of the decision reached by the panel.
4. The Board of Directors may elect to suspend levied fines for continued compliance over a minimum period of 12 months. The fundamental goal of the HOA in this process is compliance. One example; an owner receives a first offense fine of \$50 for improper garbage storage and agreed to correct the violation. The Board may suspend the enforcement of the fine until there is another offense or 12 months have passed without another violation so the fine is waived. The second offense within 12 months would receive a \$100 fine and the first offense fine would be vigorously enforced.
5. In the event that the violation is not corrected in the specified time after the hearing; the HOA will levy a daily fine of \$50 for first offenses and \$100 for second offenses until the violation is corrected. The owner will be formally notified of this action.
6. **Parking-** The parking rules are enforced immediately by a towing contractor as posted at each entrance. This has not changed from the previous policy.
7. **Noise Disturbances-** All noise disturbances should be reported to the police and the HOA. The HOA will send a warning notification to the owner for a first offense. A second offense will require a hearing with the owner to determine the same two questions as all other violations. The same procedures and policies will be followed with respect to the fines and desired compliance.

The purpose of this policy is to protect the rights of every home owner and resident while not ignoring the responsibility of everyone to comply with the published Covenants and Rules. Please feel free to contact the property manager at [drobbins13@earthlink.net](mailto:drobbins13@earthlink.net) or (919) 389-7944 if you have questions or need clarification.

Thank you,

Board of Directors

Trailwood Valley HOA