

SEPT 28, 2022

FOREST HILLS ARCHITECTURAL CONTROL COMMITTEE ISSUE RESOLUTION PROCESS

Attachment A to Rules of Procedure for Implementation of Declaration of Covenants Article VIII (19)

Preface: Article VII of the Forest Hills Protective Covenants and Restrictions directs that an Architectural Control Committee (ACC) be appointed by the Board to "conserve the natural beauty of the subdivided property, in ensure its best use and most appropriate development, and to prevent the erection of poorly designed or constructed improvements". The Covenants further direct that the ACC review proposed projects involving the exterior of the home for workmanship, design, materials, and harmony, and assign a variety of enforcement and oversight activities to the ACC. ACC has specific authority to prescribe exterior colors under the Declaration of Covenants Article VIII (1). A 2022 Amendment to Article VIII(19) makes explicit each homeowner's responsibility to perform necessary property repairs, maintenance, and restoration.

When the ACC becomes aware of a significant exterior repair, restoration, or maintenance issue that has not been addressed by the homeowner the following resolution process applies:

1. ACC contacts the homeowner via email or phone to describe the matter and inquire about plans for repair. If the homeowner is unaware of the issue, the ACC may provide photos and discuss repair options with the homeowner. In the vast majority of cases, this informal contact leads to timely resolution.
1. If the homeowner does not respond to phone or email contact, or the repair is not undertaken after a suitable period, ACC reviews the matter at its next scheduled meeting before sending a first class letter to the homeowner's address of record describing the issue and requesting a response.
1. In the rare case when a homeowner does not respond to the postal letter and/or does not undertake the repair, ACC sends another first class letter along with a certified letter requiring signature confirmation of receipt. In cases where the "Duty to Repair" amendment may be invoked, the letters will so state. A courtesy notification to the HOA Board is customary at this point.
1. If steps 1-3 above have not been successful in achieving resolution, the ACC votes on referring the matter to the board for review and further action. If a majority of ACC members support board referral, ACC completes its process by sending a first class letter informing the homeowner that the matter has been referred. If this process was initiated via written complaint, the ACC also sends a first class letter to the complainant describing the disposition.

FHCA ACC
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ATTACHMENT "A"
TO RULES OF PROCEDURE
TO IMPLEMENT
ARTICLE VIII (19)
OF THE AMENDMENT
TO DECLARATION