



GREEN SPRINGS PATIO HOMES

Homeowner Appeal Policy

This policy outlines the procedure for homeowners to appeal decisions made by the Green Springs Patio Homes Board of Director (hereinafter referred to as "the Board") regarding violations of the Green Springs Patio Homes Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations. This policy aims to ensure fairness, transparency, and due process in resolving disputes.

Scope:

This policy applies to appeals related to:

- Violation notices and fines.
- Architectural review decisions.
- Other Board decisions affecting individual homeowners, as specified in the governing documents.

Eligibility for Appeal:

- Any homeowner in good standing (i.e., current on all assessments) who has received a decision from the Board that they believe is incorrect or unfair may file an appeal.
- The appeal must be based on a specific provision of the GSPH Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations or a demonstrated procedural error.

Appeal Procedure:

1. Notice of Appeal:

- The homeowner must submit a written Notice of Appeal to the Board within 15 days of the date of the Board's decision.
- The Notice of Appeal must include:
 - a. The homeowner's name, address, and contact information.
 - b. A clear and concise description of the Board's decision being appealed.
 - c. The date of the Board's decision.
 - d. The specific provision(s) of the GSPH Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations that the homeowner believes were violated.
 - e. A detailed explanation of the grounds for the appeal, including any supporting documentation (e.g., photographs, receipts, written statements).
 - f. A proposed remedy.

2. Acknowledgment of Appeal:

- The Board or its designated representative will acknowledge receipt of the Notice of Appeal in writing within 15 days.

- The acknowledgment will include the date, time, and location of the appeal hearing (if applicable) or the expected timeline for a written response.

3. Review and Investigation:

- The Board will review the Notice of Appeal and all supporting documentation.
- The Board may conduct further investigation, including:
 - Gathering additional information from the homeowner or other parties.
 - Inspecting the property in question.
 - Consulting with legal counsel.

4. Appeal Hearing (Optional):

- At the discretion of the Board, or if requested by the homeowner in the original appeal, an appeal hearing may be scheduled.
- The homeowner will be given reasonable notice of the hearing date, time, and location.
- The homeowner will have the opportunity to present their case and provide additional evidence.
- The Board will have the opportunity to ask questions and present its position.
- Homeowners may be allowed to bring a maximum of 2 people with them to the hearing.
- The board may record the hearing, and make those recordings available to the homeowner.

5. Board Decision:

- The Board will render a written decision within 15 days of the appeal hearing or the completion of the review and investigation.
- The decision will state the reasons for the Board's ruling and whether the appeal is granted, denied, or partially granted.
- The decision will be sent to the homeowner by email unless certified mail is specifically requested.

6. Finality of Decision:

- The Board's decision on the appeal is final and binding, unless otherwise provided in the GSPH Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations.

7. Timeframes:

- All timeframes specified in this policy may be extended by the Board for reasonable cause.
- All timeframes are calculated using calendar days.

8. Amendments:

- This policy may be amended by the Board in accordance with the GSPH Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations.

9. Governing Documents:

- This Appeal Policy is subject to, and governed by, the GSPH Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Rules and Regulations. In the event of a conflict between this policy and the governing documents, the governing documents shall prevail.