

In order to carry out its responsibility of upholding Michels Farm's Declaration, By-Laws, and all other Community documents, and to act within the Ohio Planned Community Law (Ohio Revised Code §5312) for the purpose of preserving the property values and amenities of the Community, the Michels Farm Homeowners Association Board will be enforcing violations as follows:

In certain instances, if the violation can't be cured by the Owner or the Owner refuses to cure it, the Board will rely on the provisions within the Declaration and By-Laws to cure the violation and assess those costs to the Owners.

Violation Enforcement Policy

Courtesy Reminder

Upon verification of a violation, the Owner will be sent a Courtesy Reminder of the violation that has occurred and needs to be cured.

First Correction Notice

Should the violation be ongoing, the Owner will be sent a First Correction Notice. That Notice will contain the following information:

1. The nature, description and location of the property damage or violation;
2. The amount of the proposed enforcement assessment for the such violation;
3. A time in which the violation must be corrected, the allotted time to correct the violation will vary based on the degree and urgency of such violation;
4. A statement explaining the Owner has the right to request a hearing before the Board to contest the proposed enforcement assessment; and
5. A statement explaining how to request a hearing before the Board.

In certain instances and at the discretion of the Board, the Association has the authority to accelerate the time frame for immediate response and

action to gain compliance on violations which require immediate attention. The Board may also exercise the authority to grant extensions for correction due to extenuating circumstances for a reasonable amount of time.

Intermediate Correction Notices

If the Owner fails to remedy the cited violation within the time provided in the First Correction Notice, a Second Correction Notice will be sent out and contain the following information:

1. The nature, description and location of the ongoing violation;
2. The amount of an additional enforcement assessment for the ongoing violation;
3. A time in which the violation must be corrected or an additional enforcement assessment will be issued; and
4. A statement explaining the enforcements assessments will continue to accrue until the violation is corrected.

An Intermediate Correction Notice may also be issued to an Owner when the Owner cured the violation after the First Corrective Notice, but the same violation is then repeated within a set time period determined by the Board.

Example: An Owner is sent a Corrective Notice to edge the property. The Owner does not edge the property after the Correction Notice. An Intermediate Corrective Notice is sent and the homeowner corrects the violation and incurs a fine. Three weeks later, the Owner is again neglecting to edge the yard/ sidewalk. The Owner is sent an Intermediate or Final Correction Notice to correct the violation and pay an additional enforcement assessment.

Final Correction and Escalation Notice

If the Owner has not cured the violation a Final Correction and Escalation Notice will be sent out and contain the following information:

1. The nature, description and location of the ongoing violation;
2. The amount for the final enforcement assessments for the ongoing violation;

3. A time in which the violation must be corrected before being escalated; and
4. A statement explaining to the Owner that should the violation remain uncured a lien will be filed against the property and additional legal action may be taken, the costs of which will be assessed to the Owner.

All enforcement assessments are cumulative. Additional costs can include, but are not limited to reasonable attorney fees, lien fees, costs incurred by the Association to correct the violation, costs incurred in collecting the enforcement assessment, and court costs for pursuing injunctive relief, monetary damages, and foreclosure.