

Board Meeting, December 3, 2018

Board Members in attendance: Helen Tate, Rex Henry, Judy Carter, Nitin Kumar

The Bylaws Committee presented the final version of the Leasing Permit Policy Non-Compliance Procedures for the Board's review and approval. The Board unanimously voted to approve the non-compliance procedures. (A copy of the non-compliance procedures is included below.)

The Board authorized the Bylaws Committee to instruct Attorney Love to draft a template for the violation letters that will be sent to non-compliant homeowners.

The Board meeting was adjourned.

THE PRESERVE AT MAYFIELD RANCH

LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

A. An owner with a current tenant who did not comply with the December 14, 2018 deadline for submitting a Leasing Permit Application will be considered in violation of the Leasing Permit Policy as per the following schedule:

1) FRIENDLY REMINDER:

On November 30, 2018 Associa will send a reminder to each owner who has not submitted their application for a Leasing Permit.

2) NOTICE – NO FINE:

Owner has failed to meet deadline of December 14, 2018 for submitting the Leasing Permit application packet. On December 17, 2018 the owner will be sent a “notice” by Associa advising owner that he is in violation of the Leasing Permit Policy. Owner will be given until December 31, 2018 to become compliant.

3) VIOLATION LETTER – OPPORTUNITY TO CURE:

On January 2, 2019 the non-compliant owner will be sent a “violation letter” by Associa advising that if owner does not become compliant by January 16, 2019 owner will be cited in the amount of \$250 for non-compliance. The owner will be advised that if he continues to be non-compliant his grandfathered status is in jeopardy.

4) FINE NOTICE - \$250:

On January 17, 2019 Associa will send the owner a “citation” in the amount of \$250. The citation will also state that the owner’s grandfathered status is in serious jeopardy.

5) 2nd FINE NOTICE - \$500:

On February 1, 2019 Associa will send the owner a “2nd citation” in the amount of \$500. The second citation will remind the owner if he is not compliant prior to February 15, 2019 that his grandfathered status will be revoked.

THE PRESERVE AT MAYFIELD RANCH LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

6) LEGAL ACTION:

On February 18, 2019 the non-compliant owner will be advised by Associa that the following actions will be taken:

- A) Grandfathered status is revoked.
- B) Legal action will be taken to collect the delinquent citations.
- C) Owner has 30 days to remove the tenant from his unit.
- D) If owner does not remove the tenant after 30 days the Board will begin an eviction process.
- E) Owner will be responsible for all legal costs incurred.

THE PRESERVE AT MAYFIELD RANCH LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

B. An owner with a temporary Leasing Permit who did not lease his unit within 120 days of the issuance of his Temporary Leasing Permit will be considered in violation of the Leasing Permit Policy as per the following schedule:

1) FRIENDLY REMINDER:

90 days after the issuance of the temporary Leasing Permit Associa will send a reminder to the owner that his permit will expire in 30 days.

2) NOTICE :

If 120 days after the issuance of the temporary Leasing Permit owner has not leased his unit, Associa will send a “notice” advising owner he is in violation of the Leasing Permit Policy. Owner will be given an additional 30 days to become compliant.

3) LEGAL ACTION:

If 150 days after the issuance of the temporary Leasing Permit owner has not leased his unit, the non-compliant owner will be advised by Associa that the following actions will be taken:

- A) Temporary Leasing Permit is revoked.
- B) Grandfathered status is revoked.

THE PRESERVE AT MAYFIELD RANCH LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

C. Owner holding a valid Leasing Permit without a current tenant who did not lease his unit within the 120 days of “vacant status” stipulation will be considered in violation of the Leasing Permit Policy as per the following schedule:

1) FRIENDLY REMINDER:

After 90 days of the unit being in “vacant status” Associa will send a reminder to the owner that his unit’s “vacant status period” will expire in 30 days.

2) NOTICE:

After 120 days of the unit being in “vacant status” Associa will send a “notice” advising owner that he is in violation of the Leasing Permit Policy. Owner will be given an additional 30 days to become compliant.

3) LEGAL ACTION:

After 150 days of the unit being in “vacant status” the non-compliant owner will be advised by Associa that the following actions will be taken:

- A) Leasing Permit is revoked.
- B) Grandfather status is revoked.

THE PRESERVE AT MAYFIELD RANCH LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

D. Owner with a revoked Leasing Permit (temporary or permanent) who illegally leases his unit will be considered in violation of the Leasing Permit Policy as per the following schedule:

1) NOTICE:

Upon the determination that an owner with a revoked Leasing Permit is illegally leasing his unit, Associa will send the owner a notice that he is in violation of the Leasing Permit Policy. As of the date of the notice, the owner has 30 days to have his tenants vacate the unit.

2) VIOLATION NOTICE – OPPORTUNITY TO CURE:

After 30 days from the date of the notice, the owner will be sent a violation notice from Associa advising that he is in violation of the Leasing Permit Policy. Owner will be given 14 days to become compliant. Owner will also be notified that failure to be compliant will result in fines of \$1000 per month.

3) FINE NOTICE - \$1000:

After 14 days from the date of the violation notice, Associa will send the owner a “citation” in the amount of \$1,000.

4) 2nd FINE NOTICE - \$1,000:

On the monthly anniversary of Step 3, above, a \$1,000 citation will be assessed to any owner who remains in violation. The \$1,000 monthly citation will continue to be assessed each calendar month for 12 months thereafter.

THE PRESERVE AT MAYFIELD RANCH LEASING PERMIT POLICY NON-COMPLIANCE PROCEDURES

5) LEGAL ACTION:

After 14 days from the date of Step 4, above, the non-compliant owner will be advised by Associa that the following actions will be taken:

- A) Legal action will be taken to collect the delinquent citations.
- B) Owner will have 30 days to remove the tenant from the unit.
- C) If owner does not remove the tenant after 30 days the Board will begin an eviction process.
- D) Owner will be responsible for all legal costs incurred.