

# Goose Hollow Homeowners Association

## - Resolution -

### Landscaping Standards and Compliance Enforcement Policy

#### **Purpose:**

The purpose of this Resolution is to inform the members of the Goose Hollow Homeowners Association of the methods and procedures your Board of Directors intends to employ to ensure compliance with our neighborhood's landscaping standards.

The following statement describes the policy of the Goose Hollow Homeowners Association (Association) concerning landscaping and grounds maintenance. It describes the Association landscaping standards, and outlines the process by which any member of the Association can identify a landscaping violation and the subsequent review and corrective steps that will be taken to achieve compliance.

#### **Background:**

As per our Goose Hollow CC&R's, Article-IV "Architectural Control," Section 1 through 4 and Goose Hollow ARC Manual Article-4 "Landscaping Policy" Sections 4.01 through 4.04 and Article-5 "Landscaping Plan Submittal Procedure" Section 5.01 and Article-6 "Minimum Landscaping Requirements" Section 6.01 through 6.03, all members of the Association are required to maintain the landscaping on their lot in Goose Hollow (Property) in an acceptable fashion.

Any member of the Association has the right to complain if another member is not properly maintaining his or her grounds and landscaping. In order to provide for a thorough review of any such complaints, the Board of Directors of the Association has enacted the following policy and procedure.

#### **Policy:**

It is the policy of the Association that members shall maintain the landscaping on his or her Property in the GH community to the standards as defined in this document. Provisions of this policy apply to all landscaped areas – including backyards:

Failure to comply with the GH-HOA Landscaping standards can result in:

1. The Association hiring a landscape professional to complete necessary work. The homeowner(s) is responsible for resulting expenses.
2. Fines, per existing Schedule of Fines as updated from time to time.
3. Legal action against the homeowner(s).

Any member of the Association who observes a violation of the above standards may report the matter by filling out and signing a Grievance/Complaint Form describing the nature of the alleged violation. The Grievance/Complaint Form will be processed

through normal channels by the Goose Hollow Architectural Review Committee (GH-ARC) and members of the Goose Hollow Board of Directors (Directors).

If corrective action is required, a letter will be sent to the home owner by the Board. The owner will have approximately 14 calendar days to comply.

If the problem is not resolved within that time, another letter is sent, requiring compliance within 7 calendar days. If the problem does not get resolved after the second letter, legal action may be taken. Other actions may include hiring a landscaping service to make the corrections, and/or fines may be assessed against the owner and property. The property owner will be required to pay for the landscaping costs, the fines, and any legal counsel fees as deemed necessary to enforce this Resolution.

Annually the President of the Board designates a member of the Board to act as Compliance Coordinator; duties include reviewing identified violations, coordinating the resolution of a violation and/or preparing notification letters.

## **Landscaping Violation Reporting and Compliance Enforcement Procedure:**

When the Directors receive a Grievance/Complaint, the matter is thoroughly reviewed and compliance enforcement actions are taken using the following procedure:

1. The complainant fills out and signs a Grievance/Complaint Form. The Grievance Form is delivered to the Tukwila Management Office.
2. Upon receipt of a Grievance/Complaint Form, the Tukwila Management Office forwards the complaint to the GH-ARC for their review.
3. The GH-ARC inspects the alleged violating Property, determines (a) if the Landscaping Standards have been violated, (b) if corrective action is needed, and (c) provides feedback to the Board's Compliance Coordinator.
4. The Compliance Coordinator forwards the information to the Board of Directors (electronically, if no regular meeting of the Board is pending).
  - a. The Board will review the ARC recommendation, and then exercise its discretion whether to take corrective action.
  - b. The Board is not compelled to take action in all instances when a complaint is received.
5. If the Board determines corrective action is appropriate, the Compliance Coordinator is directed to send a letter (one copy via certified mail/return receipt requested, and a second copy via standard USPS mail) to the homeowner. The letter identifies that a violation has been validated, and describes the corrective action that the homeowner needs to take to bring his or her Property into compliance.
6. The Compliance Coordinator includes the homeowner's information and next action date in an action document, which is e-mailed to the GH-ARC, to enable monitoring of all open landscape issues.
7. The property owner has 14 calendar days, from the date the letter was received, to make the corrections needed.

8. The ARC monitors the progress of the landscaping, and notifies the Compliance Coordinator when corrective action has been finished.
9. After 14 calendar days have transpired since a notice to comply letter has been received by the property owner (see step 5 above), and if full corrective actions have not been taken, the Compliance Coordinator is directed to send a second letter (one copy via certified mail/ return receipt requested, and a second copy via standard USPS mail) to the homeowner. This letter describes the necessary steps that must be taken to bring the Property into compliance, and gives the homeowner no more than 7 additional calendar days (from the date the letter was received) to comply. The second letter mailing date and deadline is added to the consolidated action document and forwarded to the GH-ARC. (NOTE: These 14-day and 7-day time periods may be extended, if extraordinary circumstances warrant additional time and at the discretion of the Board or the Compliance Coordinator.)
10. If corrective action has not been taken within the allotted time the Board of Directors may assign the matter to legal counsel.
11. Prospective actions that may be taken include:
  - a. Assigning a landscape professional to complete the work and bill the homeowner.
  - b. Assessing fines per the existing schedule of fines.
  - c. Undertaking legal action against the homeowner.  
Any legal costs associated with bringing the offending Property into compliance will be borne by the offending homeowner(s). The Association has the right to take legal actions to recover costs and may file a notice of lien against the subject Property if needed and as permitted by law.
12. Additionally, if within 90 days of having brought a Property into compliance, the Property is again identified as being out of compliance with the above landscaping standards, the resolution process will resume from the last step taken.

For example, if the homeowner is issued a first letter (step 5 above) then subsequently, brings his or her Property into compliance, and within 90 days of having done so is again identified as being out of compliance, the next action step would be to send the second letter (step 9 above) providing 7 calendar days to bring the Property into compliance.

Attached: Goose Hollow Landscaping Standards.

Approvals:

1. Originally approved July 15, 2013 to become effective October 15, 2013.

## Landscaping Standards:

1. Maintain lawns and planting beds in good health so as to present a neat and well-cared-for appearance year-round.
  - a. Mow lawn areas as needed - a healthy lawn will normally require mowing weekly during the growing season.
  - b. Maintain a neat and clean lawn edge along sidewalks, walkways and other paved areas, as well as around planting beds, as needed, during the growing season (no less than monthly).
  - c. Fertilize and irrigate (within community watering guidelines) as needed; lawns should be green throughout the year.
  - d. Keep lawns, planting beds, walkways and tree surrounds free of weeds, moss and debris.
  - e. Remove leaf litter, dead plants and any trash from lawns, tree surrounds, stylish features (such as mock stream beds, planters, etc...) and planting beds.
  - f. Maintain each lot and lawn free of noxious weeds, and have a natural, groomed appearance.
  - g. Keep exotic plants (such as English Ivy or climbing vines, etc...) within planting beds, and out of natural or common areas.
  - h. Repair dead spots in the lawn surface; flatten and reseed mole hills; reseed spots in lawns caused by pet urine, moss infiltration (remove evidence of moss and reseed) or from improper fertilizer application, etc.
2. Prune trees and bushes as needed throughout the growing season to maintain a neat, well-cared-for appearance.
  - a. Do not allow trees and shrubs to obstruct the sidewalk or road to ensure adequate passage by pedestrians, City street sweepers and refuse/recycling/garbage trucks.
3. Remove and properly dispose of dead or damaged plant material.
  - a. Remove lawn clippings after mowing, including from paved surfaces.
  - b. Keep sidewalks and driveways clear of fallen leaves and other debris.
  - c. Do not dump grass cuttings, leaves, limbs, branches or other debris in open spaces, vacant lots, neighboring home sites or Association or other Association member's property.
  - d. A properly maintained compost pile, out of sight of the street and neighbors, is acceptable.
4. Street trees along the adjacent right-of-way are the homeowner's responsibility.
  - a. Keep them healthy and properly irrigated during dry seasons.
  - b. If a street tree dies due to homeowner neglect, it will be the homeowner's responsibility to replace it with the same species/variety and as close to the same size tree as possible.

- c. If a street tree dies for other reasons the homeowner may request that the Association replace the dead tree. The Board of Directors has sole discretion on whether or not the Association replaces the tree in lieu of the responsible owner.
  - d. Do not remove any tree without following City of Woodburn guidelines. Contact the City of Woodburn for details.
5. Keep all refuse in sanitary containers concealed from the view of any lot. Empty containers regularly and make sure that they remain concealed from the view of any lot. Empty containers regularly and make sure the contents are properly disposed of, off the Properties.
6. The crop called Marijuana (cannabis) may not be openly cultivated anywhere within a lot's exterior boundary or anywhere upon a lot's surface or in separate planting beds, planting pots and/or planting containers, etc.... If cultivation of this nature exists within the confines of the residence; such cultivation may not be extended to the exterior of the residence, at any time.

Approvals:

- 1. Originally approved July 15, 2013 to become effective October 15, 2013.
- 2. Modified (added Standard #6, shown above) January 19, 2015 to become effective April 19, 2015.