

# **South Landing Policy on Covenant Compliance: Procedures for notifications, warnings, fines and/or suspension of community privileges**

## **Notification and Warning Procedures**

- When a violation of a SL covenant is known, a first request to correct the violation will be issued by a Board member or a member of the Architectural Committee to the home owner and/or renter who is out of compliance. This informal process would be delivered through a call, email or a letter.
- After a reasonable time is allowed for the resident to come into compliance or respond (time will vary depending on the violation) a second request to correct the situation will be sent by email or letter.
- If still no corrective action is taken by the home owner, then a third request via a registered or regular post office letter will be issued. In this letter violations will be spelled out with specific dates when corrective actions must be taken. It will also state that if no corrective action has been taken by the deadline, the Board will call a meeting where sanctions against the home owner or renter (i.e. removing privileges) or imposing of fines on the home owner will be discussed and, if needed, levied.
- Under the NC Planned Community Act the courts have given the authority for small communities to levy fines up to \$100 per day. (NOTE: This would be as a last resort and would need to adhere to the following process as stated in the NC Planned Community Act.)

Procedure for Fines or suspension of privileges: A hearing shall be held before the Board (South Landing Board of Directors) to determine if any property owner should be fined or if planned community privileges or services should be suspended pursuant to the powers granted to the association in G.S. 47F-3-102(11) and (12). The lot owner charged shall be given notice of the charge, an opportunity to be heard and to present evidence, and notice of the decision. If it is decided that a fine should be imposed, a fine not to exceed one hundred dollars (\$100) may be imposed for the violation and without further hearing, for each day more than five days after the decision that the violation occurs. Such fines shall be assessments secured by liens under G.S. 47F-3-116. If it is decided that a suspension of planned community privileges or services should be imposed the suspension may be continued without further hearing until the violation of delinquency is cured.

Future infractions: If after corrective action has been taken by the homeowner on the original offense and a another violation occurs of the same covenant sometime in the future, then the above warning/penalty policy resumes commences where it left off during the original warning process. (i.e. If a fine was imposed as a result of the first offense then that fine would be reinstated at the time a subsequent offense takes place without the need to go through the preliminary warning phase again).