Covenants Committee

Purpose:
The committee is the clearing house for receiving and resolving violation complaints.

Authority:
The committee has the authority to investigate violation complaints, issue violation notices, establish and conduct hearings, recommend and impose fines, and resolve violation complaints.

Composition:
The committee will consist of up to five (5) members who are homeowners of record of the community, but none residing together. Ideally, committee members will be selected from a pool of volunteer homeowner candidates representing as large a cross-section of the various neighborhood sections as possible. The Board shall appoint the Chairperson. The Chairperson may recommend committee members to the Board for its approval or the Board may grant its authority to appoint members to the Chairperson.

Term:
Committee members will serve a one (1) year term (Annual Meeting to Annual Meeting or as close as possible to it). Attempts will be made to have members serve on a rotation basis to allow for continuity. Consecutive terms are permitted. Members may be removed with cause by the Board of Directors.

Responsibilities:
- Administer the Violation Complaint and Due Process Resolution process in a fair and impartial manner upon receipt of complaint form.
- Maintain a file of the violation status via "Smartviolation" software.
- Possess computer and network capability to communicate with the Board, other committee members and Managing Agent
- A committee member attends each board meeting and reports the current Covenants Committee business.
- Files a timely report to be included in each Birkdale Bulletin.
- Submits a proposed roster of committee members 2 weeks prior to Annual Meeting.
- Maintains a roster of active Covenant Committee Members.

Reference documents:
- Violation Complaint and Due Process Resolution – the then current version
- Architectural Standards and Guidelines – the then current version

VIOLATION COMPLAINT RESOLUTION PROCESS

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┌─────────────────────┐
│   Alleged Violation  │
│      submitted       │
└─────────────────────┘
           │
           ▼
┌─────────────────────┐
│ Receipt of complaint │
│ Covenant Committee   │
│   will investigate   │
└─────────────────────┘
           │
           ▼
       ╱Is it a╲        No     ┌──────────────────┐
      ╱violation?╲──────────→  │  No action taken │
       ╲        ╱              └──────────────────┘
           │
          Yes
           │
           ▼
┌──────────────────────┐
│ Managing agent and   │          Friendly Reminder
│ Covenants Committee   │─────→   Notice with at least
│ Chair's Authority     │         ten (10) days to
│ sends Friendly        │         resolve
│ Reminder letter       │
└──────────────────────┘
           │
           ▼
  Yes  ╱Is violation╲  
┌──────────┐ ╲resolved?╱  
│  Close   │←─  ╲    ╱
│ Violation│
└──────────┘     │
                No
                 │
                 ▼
┌──────────────────────┐
│ Managing agent and   │          Notice of Violation
│ Covenants Committee   │─────→   with a specific date
│ Chair's Authority send│         for resolution
│ Notice of Violation   │
│ Letter                │
└──────────────────────┘
           │
           ▼
          ⌂ A
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Is a hearing required? → No → Violation Resolved Close Violation

Yes

Set up hearing between Homeowner and Committee → Send Hearing Notice fourteen (14) days in advance

Is Violation Resolved at hearing? → Yes → Close Violation

No

Assess appropriate fine and Refer to Board of Directors → Send Results of Hearing