

Procedure for the Resolution of Anglesea Restriction Violations

Adopted at November 26, 2007 Board Meeting

- 1) Each year just after the annual meeting, the President shall appoint members to the “Monitoring Committee” (the “Committee”). This Committee will be made up of three Board members and two non-Board members of the Association. The President shall appoint one of the non-Board members to be chairperson.
- 2) Should an Association member have a complaint regarding a perceived violation of the Anglesea Restrictions and Covenants, the complainant must first discuss the problem with the neighbor whom he believes is in violation, and seek resolution of the matter in a friendly manner.
- 3) If not successful, the complainant must submit to the Board of Directors a written statement outlining the complaint and describing what efforts have been made to resolve the situation. The Board, at its next meeting, will pass this complaint on to the Chairman of the Monitoring Committee.
- 4) If the Committee feels the complaint is not valid, the complainant will be so advised in writing by the Committee, and will be required to attend a special Board meeting to present the case personally. All members of the Monitoring Committee will be expected to attend this meeting. Should the complainant not attend the special meeting, the Board will rule that no violation has occurred and will not entertain other complaints submitted by that complainant for a period of one year.
- 5) If, after the complainant presents their complaint before the Board, the Committee agrees with the complainant, at the next regular Board meeting, a resolution will be adopted to take immediate action and the Committee will be instructed to draft a letter to be mailed within 30 days to the individual in violation. The text of this letter will request from the violator a timeframe for the remediation of the violation, and allow the violator 30 days to respond in writing to the Committee.
- 6) If no such response is received from the violator by the Committee within 30 days, or if a response is received and judged inadequate, the Committee shall report to the Board at its next meeting, and the Board will authorize the Association to retain an attorney for the purpose of filing a civil lawsuit on behalf of the complainant against the violator. This action will include the obligation of the violator to pay any legal fees or court costs in the settlement of the violation.
- 7) The costs associated with this legal action and any related expenses, will be born by the Association to a maximum of \$5000. Any costs exceeding this amount will be born by the complainant. This includes but is not limited to any surveying costs incurred. The complainant will be solely responsible for dealing with the attorney.
- 8) The Association, in its calendar year budget preparation, will rebuild these reserves to the original \$5000 amount. At most \$5000 can be expended in any calendar year for such expenses.