

## Compliance Process of the Oronoque Village Condominium Association, Inc.

1. Establish, by appointment made by the President of the OVCA Board of Directors, and confirmed by the OVCA Board of Directors, a Compliance Committee (CC) of five (5) unit owners, one member who shall be elected by its members as committee chair. The committee shall also designate a member as secretary. Each member of the committee will sign the Association's Code of Ethics and will pledge that the identity of any person submitting a complaint will remain confidential by the Compliance Committee.
2. Establish "complaint boxes" in which residents may place signed complaints. The complaint boxes will be located at the North Clubhouse and the South Clubhouse. Complaints given to the Business Office or the Executive Director will be added to a complaint box.
3. Notification of violations will also be received from the Maintenance Office. The Maintenance staff will be directed to document violations they observe by completing a complaint form and placing it in a "complaint box" located in the Maintenance Dept. The name of the Maintenance employee may be included or, if not included, the complaint will be signed off by the Maintenance Director.
4. A member of the CC will check the complaint boxes periodically throughout the week. Any complaints in the boxes will be collected and stamped with the date received.
5. Within a reasonable time period (five to ten business days) of receiving the complaint, the committee will do one of the following:
  - a. Determine if the complaint is valid and send a letter to the violator citing the rule that has been violated and stating that the violator has 10 business days (provide a specific date) to resolve the issue and that failure to remedy the problem may result in fines being imposed. Advise the violator of the "class" of the violation and the potential fine that will be imposed.
  - b. Determine that the complaint is without merit and respond to the complainant explaining why the complaint is not valid.
6. At the end of the 10-day grace period, a member of the committee will investigate to determine if the violation has been corrected unless other communications were received which provided this information.
7. If the problem is corrected, a letter will be sent by the committee to the offender noting the resolution of the problem and expressing appreciation for the resident's cooperation. A letter shall also be sent to the originator of the complaint, advising that the violation has been resolved. In the event the complaint came from Maintenance, this letter will be sent to the Maintenance Director.
8. If the problem is not corrected, a letter shall be sent to the offender by the committee noting the violation, the lack of resolution and the lack of response. The letter shall also state that a hearing is being scheduled, providing the date and time, and location. Include in the notice of hearing that the offender may appear and be provided an opportunity to be heard. The offending unit owner should be advised of their right to bring witnesses if applicable and that they may have another party represent them at the hearing, the notice of hearing should further advise the offending unit owner that they may in lieu of their appearance at the hearing, provide a written explanation of their position. This letter must be sent by both regular and certified mail. It must also explain what fines may be imposed and that they may be retroactive to the date the offender was first notified of the violation. The letter shall also state that the Association can authorize counsel to proceed with litigation or foreclosure.

9. If a hearing is necessary, it shall be held before at least three members (a quorum) of the Compliance Committee and notification must be given to all unit owners. This may be done via publication in The Villager citing the unit # (name need not be provided). Hearings are open to unit owners. The offending party has the right to request that the hearing be held in private, in which case the committee must adjourn to Executive Session. Any vote to recommend to the Board of Directors the imposition of fines must happen in the open session of the meeting. Should a unit owner request that a hearing be held in private, they must waive the notice requirements of the hearing in writing.

Should a unit owner request that the decision of the CC at the conclusion of a hearing be communicated privately, they must waive the notice of the committee's decision in writing. These waivers must be retained by the Business Office and kept as a record of the hearing. Notification of the CC decision must be sent to the offender by both regular and certified mail within ten (10) days of the hearing. The notification must advise the offender that the recommendation of the CC will be put before the Board of Directors for their approval. The date, time and place of that meeting shall be included in the notification. The offender is to be notified that if they wish to appeal the decision of the CC, they may do so, and a copy of the appeal process shall be enclosed with the notification.

10. Within two (2) business days of the hearing, the chair of the CC shall notify the Secretary of the Board of Directors to include as an agenda item for the next regularly scheduled OVCA meeting a motion to vote on the recommendation of the CC. Note: If the offender files an appeal, the vote will occur on the date set for the appeal hearing.

11. The Board of Directors' approval of the CC recommendation to impose a fine must be communicated to the Business Office within one (1) business day of the Board's vote by the Secretary of the Board of Directors. In the absence of an appeal by the offender, the Board of Director's approval of the CC recommendation shall be communicated to the offender by the Chair of the CC within two (2) business days of the Board vote. This communication will be delivered by both regular and certified mail. No appeal of this decision may be made as the time frame for requesting such appeal shall have expired.

12. The Rules of the Association will be classified. A code will indicate the severity of the violation and the fine that will be imposed. The classifications/codes are as follows:

**Level A-A** rule that if violated is an annoyance and is detrimental to the appearance and appeal of the community. The fine is \$25.00 per day

**Level B-** A rule that if violated affects the quality of life of residents without causing damage or harm The fine is \$50.00 per day

**Level C-** A rule that if violated is sufficiently serious that it may cause harm to property or residents. The fine is \$100.00 per day

13. Attachment I. indicates the classification of the violation and the amount of the fine.

14. All meetings of the CC must have minutes that are published, must indicate the rule violated, statements by committee members, statements by the offender, confirmation that a violation occurred and a record of the vote of the committee members and the disposition of the case (i.e. fines to be levied, daily fines to accrue, tenant to be warned, evicted, etc.)

15. Copies of all letters, proof of notice and mail receipts must be retained by the Business Office.

16. For a hearing that involves particularly difficult unit owners or unusually complicated legal issues or when it is anticipated that the offending unit owner intends to bring legal counsel with them to the hearing, the CC may invite OVCA legal counsel to the hearing.

9/10/19