



DeLand, FL 32720  
www.brandywinedelandhoa.com

## BRANDYWINE HOA RULES COMPLIANCE POLICY AND PROCEDURES

Brandywine was established in 1976 and continues to be one of the finest neighborhoods in the area. The overwhelming majority of members voluntarily adhere to the Brandywine Covenants and Restrictions, Development Guidelines, Board Rules and Volusia County ordinances with regularity and good spirit. However, from time to time, a member may need reminding about a violation. Typically, a single contact is sufficient to alleviate these situations. Unfortunately, there may be a resident who violates the rules and makes no apparent effort to comply. In order to maintain property values and the character of the community, the Brandywine Homeowners Association Board of Directors established procedures in accordance with Florida Statute 720.305 to remedy rules violations. The Rules Compliance Committee will implement these procedures intended to deal with violations effectively and fairly for the benefit of all members.

### Procedure

Two entities will be involved in rules compliance:

-The Rules Compliance Committee made up of a minimum of three HOA members including at least one HOA Board Director. -The HOA elected Board of Directors

A violation should be noted for a sufficient amount of time to warrant action. Initiating action against a member in violation should be a Rules Compliance Committee decision. Face to face notification of a violation will be avoided. If the property is rented, the owner, the property manager, and the tenant will be contacted regarding a violation.

### **Initial Violation**

A courtesy letter will be sent reminding the member of the specific violation(s), suggesting a remedy and requesting correction /compliance as soon as possible but no longer than ten (10) days from date of the letter. \*

### **Continuing Violation**

A second notice letter will be sent by both certified receipt-requested and first class mail to the member specifying the violation(s) and suggesting a remedy. The member will be

requested to contact the Rules Compliance Committee by letter if the violation cannot be resolved within 7 days. The letter will state if the Rules compliance committee is not contacted or the violation is not remedied within 7 days of the date of the letter, the Board of Directors will determine further action which may include a referral to the HOA attorney. \*

### **Unresolved Violation**

If the violation continues unresolved after two Rules Compliance Committee letters have been sent, the Brandywine Board of Directors will attempt to resolve the matter.

Possible options include but are not limited to:

- A third letter from the Board of Directors outlining an action plan specific to this case will be sent to the member via certified and first class mail.
- The Board of Directors will refer the violation to the HOA attorney. A letter from the attorney will serve as the third contact with the member. The member in violation will be responsible for paying the attorney fee of approximately \$150.
- Mediation and injunction proceedings may be recommended by the attorney or the court. The member in violation will be responsible for paying assigned costs and fees.
- Unresolved violations will be noted on all estoppel forms completed for property sales.

**Repeat/Recurring Violation:** If the same violation occurs within 12 months, the compliance process will continue uninterrupted.

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\*The Rules Compliance Committee and/or the HOA Board of Directors have the authority to shorten the timeline or alter procedures to correct unsafe situations or violations requiring immediate attention. The Board may on rare occasion grant an extension for violation correction due to extenuating circumstances.