

Andover Place Compliance Enforcement Process

1941 Mayport Road, Atlantic Beach, FL 32233 (904) 241-8886



Many times when homeowners are asked what is important to them within their community, they respond, “the overall appearance of the neighborhood.” Often, owners also mention the few unsightly properties that are an embarrassment to those who appreciate the prime location, size and value of their neighborhood. Owners also express a frustration in the lack of follow-through on such violations.

We need to address those properties that negatively impact the overall aesthetics and market value of homes.

We noted some key factors that made the process breakdown in the past:

- Homeowners often regarded violation notices as empty threats.
 - After long-term neglect, a strategy was needed to gradually bring the neighborhood in-line with the core standards of the governing documents.
 - Any neighborhood concerns should be reported to your community association manager by email, with photos, to Deesa@ElimServices.com
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Bringing each homeowner, and the neighborhood as a whole, in-line with the core standards of our covenants will strengthen this community.

Some HOAs can be extremely strict while others cease to exist. We want to find a manageable middle-ground to enhance this community. The goal is to start with a small sub-set of issues. This resulted in a list we can all focus on as a starting point:

Proposed items:

- Exterior property neglect or nuisance, such as not pressure washing or clearing gutters
 - Making changes without architectural approval
 - Keeping flowerbeds and bushes cut to appropriate height
 - Parking nuisances, service trailers, boats, etc.
 - Visual presence of junk or trash and trash bins from the street-front.
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For blatant covenant violations that impact the overall aesthetic of the entire community, management will initiate a process with the homeowner.

We follow a process that not only allows ample opportunity for a homeowner to respond to any requests for compliance, but also ensures resolution.

Report or update Compliance issues on our website at www.ElimServices.com

AWARENESS:	Anyone can report a violation to the Association, by contacting your licensed Community Association Manager (CAM) directly. Your CAM is Deesa Armstrong and the best way to communicate is from the website at www.ElimServices.com . The CAM is only on the property one day per month in most cases, so issues may arise that neighbors may notice and report before the CAM would typically be back on site.
WATCH:	The CAM conducts monthly neighborhood reviews via a drive through every street in the neighborhood. If a potential concern is noted, the CAM puts a note to “watch” or keep an eye on that issue in the weeks ahead. Everyone can have an off day... perhaps the owner meant to get to the pressure washing scheduled, but a deadline came up at work. We are not looking to “catch you.” Management and the Board of Directors wants to work with every neighbor to enhance value for the entire community.
FIRST NOTICE:	On the next month’s inspection drive, if the CAM sees that the previously noted issue has not been taken care of, the manager will send a friendly notification letter of awareness to the homeowner, explaining the need to address an issue that impacts the entire neighborhood within a set period of time. The letter will include an invitation/appeal to contact management to open a dialogue. We consider this a friendly reminder.
FINAL LETTER:	On the next inspection drive (which would be the THIRD month of concern for the specific issue,) if the issue has not been resolved or if there has been no contact from the homeowner, management will send a second letter, called a Final Notice of Violation with another set number of days to comply. This will contain specific language and begin to provide notice of the fines allowed per statute (\$100 per day, max \$1000 per violation). Depending on the nature of the violation, this notice can be sent more than once.
ATTORNEY DEMAND LETTER (2x)	if the issue has not been resolved or if there has been no contact from the homeowner, upon the Board's request management can order Demand Letters from a compliance attorney. The attorney will communicate with the owner regarding the compliance requirements. Cost for this will be invoiced to the owner.
FINE LETTER:	If there is no communication from the owner, the issue is not resolved, or in earnest progress of being resolved within set compliance dates, a Fine letter will be issued, informing the homeowner that a compliance/fine review meeting has been scheduled by the Board of Directors as required by Florida Statute 718.303 for Condominiums and 720.305 for Housing Associations . (\$100 per day, max \$1000 per violation). In the vast majority of cases, the compliance violation is resolved by this point.
BOARD MEETING:	At the duly noticed meeting (48 hours) of the Board of Directors, the home with violation is on the agenda. The Board reviews the issue and votes whether or not to impose a fine, fee, or other correction in accordance with the community’s governing documents. The fine is “imposed” as of the date of the Board’s decision.
COMPLIANCE ENFORCEMENT COMMITTEE	When the Board of Directors has imposed a fine, fee, or other corrective action (fine) on a homeowner, a duly noticed (14 days minimum) meeting of the Fining Committee /Compliance Enforcement Committee is held to review the fine levied. The homeowner is invited to attend this meeting of the committee, by a Fine Notification Letter , advising the homeowner that their specific violation is on the agenda for review. The Committee conducts a “hearing” by discussing the violation. The homeowner is allowed to present evidence on their behalf. The Committee votes to either confirm or reject the fine. They may not adjust the fine. This decision is documented with management and appropriate notification is sent to the homeowner.
ACTION:	Confirmation of Fine - Association Management can now assess the fine to the homeowner’s account (sending a statement with due date) and take appropriate legal action if needed. Rejection of Fine – The matter is closed.

If a negligent homeowner does not respond to the letters sent from management, or from the attorney, the issue goes to the Board of Directors to impose a fine on the owner.

Most frequent issues we see are:

- Exterior property neglect or nuisance, such as not pressure washing or clearing gutters
- Making changes without architectural approval
- Keeping flowerbeds and bushes cut to appropriate height
- Parking nuisances, service trailers, boats, etc.
- Visual presence of junk or trash and trash bins from the street-front.

How can I help?

Contact your association manager and/or the board of directors privately. They can answer any questions you may have and work with you to meet your schedule. Commit to at least one year of committee meetings.

CONTACT: **Deesa Armstrong**, Licensed Community Association Manager via our website www.ElimServices.com. Go to My Community page and search for Andover Place. You can report or update compliance issues, or contact your CAM directly.