

# **PROCEDURES FOR LEVY OF FINES FOR VIOLATION OF COVENANTS OR ARCHITECTURAL GUIDELINES OF DEERFIELD PURSUANT TO THE DEERFIELD DECLARATION OF COVENANTS AND RESTRICTIONS (10-30-17)**

Homeland Neighborhood Management will notify owners and residents of covenant violations by delivery of a **Three-Step System** either in person or by mail. A copy of each will be sent to the board members via email.

**The First Step will be a Yellow Warning Card**, will describe the violation, and will allow at least 7 days for the violation to be corrected.

**The Second Step will be a Red Warning Card**, will describe the violation, and will allow at least 7 additional days for the violation to be corrected.

*A detailed description of all violations by all owners shall be maintained by the Management Company setting forth the name and address of the alleged violator, date(s) of alleged violation(s) and a detailed account of the alleged violation(s).*

*After the allotted days of any red-card warning have passed without rectification, the Management Company will notify all board members of the continuing violation by email and will mail a **1<sup>st</sup> Violation Letter noticing a Fine** to the owner.*

**The Third Step will be the Fining Process as follows:**

**A 1<sup>st</sup> Violation Letter noticing a \$25.00 Fine and the allotted number of days to correct the violation** will be sent via certified mail to the owner along with a Request for Hearing form. The board members will be sent an email copy. **The owner may rectify the violation or deliver written request for a hearing of this assessment.** A request for hearing shall not suspend the imposition of further Fines.

**A 2nd Violation Letter noticing a \$50.00 Fine and the allotted number of days to correct the violation** will be sent via certified mail to the owner along with a Request for Hearing form. The board members will be sent an email copy. **The owner may rectify the violation or deliver written request for a hearing of this assessment.** A request for hearing shall not suspend the imposition of further Fines.

**A 3rd Violation Letter noticing a \$100.00 Fine and the allotted number of days to correct the violation** will be sent via certified mail to the owner along with a Request for Hearing form. The board members will be sent an email copy. **The owner may rectify the violation or deliver written request for a hearing of this assessment.** A request for hearing shall not suspend the imposition of further Fines.

If the alleged violation is not rectified by the owner **within that final allotted time period**, there shall be imposed a **\$100 per day continuing Fine for each calendar day thereafter that the violation is not rectified.** The owner will be notified via certified mail that the \$100 per day Fine has begun, and the board members will be sent a copy of that notice via email. Once rectified, the Homeowner will have 30 days from the date of the correction to deliver written request for a hearing of this assessment. A request for hearing shall not suspend the imposition of further Fines if the violation reoccurs.

All Fines shall be independent and cumulative. The alleged violator will have the right to due process and be able to pursue his/her appeal to the Board only within the allowed time period. If the alleged violator does not pursue his/her appeal, the Fine in question shall be final and not subject to any further review. If the property owner does pursue its appeal, the Board will hear the alleged violator's position at its regularly scheduled meeting. The Board will then decide whether to enforce or to rescind the Fine. The hearing, discussion, and determination can be held in a closed meeting. Once the determination is made, the regular meeting will be reconvened, and the vote to accept or reject the appeal will be taken by the Board.

1. Once a Fine becomes final, it shall be assessed to the Homeowner's account and collected in accordance with Article 3 of the Deerfield Covenants and Restrictions.
2. If a homeowner commits the same violation within a one year period, the first Fine shall be set at \$100.00, the second Fine at \$100.00, and thereafter, the Fine being \$100.00 per day until the violation is rectified. All notice and appeal procedures shall be in accordance with that stated above.

**REQUEST FOR A HEARING**

I hereby request a hearing, to discuss with the Board, the charges made against me as contained in the Notice of Violation dated \_\_\_\_\_, 20\_\_\_\_, alleging a violation of the Covenants, By-Laws, Architectural Guidelines or Rules and Regulations of Deerfield.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Owner's Name- Printed

\_\_\_\_\_  
Address City, State Zip Code

\_\_\_\_\_  
Telephone

\_\_\_\_\_, 20\_\_\_\_  
Date

Please return to Home-Land Neighborhood Management at P.O. Box 320248, Flowood, MS 39232.