

# **Architectural Control Committee Processes:**

## **Review of Improvements**

## **Remedy of a Covenant Violation**

### **MEMBERS**

The Architectural Control Committee (ACC) consists of seven volunteers; six voting members and one non-voting member (or alternate). This number fluctuates due to people leaving and entering the committee. ACC candidates are interviewed by the HOA Board and candidates are appointed as members. There is no term limit and the Board replaces members as needed. While members work collectively on reviews and at the monthly meeting, they are responsible, in pairs, to review one of the three phases of Watters Crossing for violations. No member is responsible for reviewing a phase in which he lives.

### **REVIEWS**

1. All exterior improvements within Watters Crossing must be submitted for review and approval prior to work commencing.
2. Proposed improvements are submitted via one of the online forms located at [www.watterscrossing.com](http://www.watterscrossing.com) in the ACC link
3. Projects are reviewed via email among the various ACC members.
4. Allow yourself ample time for review. A timeline of four (4) weeks is provided for review of a project. However, most projects are reviewed quickly, via email, and approvals or non-approvals are generally issued within a few days of receipt.
5. Expedited reviews are provided for repair or replacement of roofs and windows as delay could cause potential further damage.
6. All projects and their status are posted at [www.watterscrossing.com](http://www.watterscrossing.com) in the ACC link following the ACC formal meeting. Formal meetings are the last Tuesday of each month.
7. It is not necessary to attend the ACC meeting with your project submission. However, if the project is highly detailed (such as a room addition), you may wish to attend with your contractor.
8. Attending and ACC meeting
  - a. Please email [acc@watterscrossing.com](mailto:acc@watterscrossing.com) a minimum of two (2) weeks prior to the date of the ACC meeting which you wish to attend.
  - b. Please include your name, address, and nature of your proposed project.
  - c. You will be added to the ACC agenda and a time will be provided for you to attend.

### **VIOLATIONS**

Violation of the Declaration of Covenants, Conditions, and Restrictions can be reported at any time, either by an ACC member or from an individual homeowner to an ACC member. In addition, a survey is done of the entire neighborhood at the beginning of each year and at mid-year. Surveys can include a number of items from the Covenants, but priority ones are included on every survey. These include:

1. Fence condition. This can include anything from needing washing and staining to complete replacement.
2. Landscaping condition. This includes, but is not limited to, turf deterioration, foundations plant deterioration, free-standing planter deterioration, heaving landscaping stones, and tree condition.
3. Paint condition. Members look for fading or streaking paint, rotted or missing trims, and chimney conditions. Front doors would also be included in this review.

### **FORMAL LETTERS ARE ISSUED ON ALL ACC VIOLATIONS**

1. Project Forms, ACC Reviewed Projects, ACC Guidelines, and the Covenants are all shown at [www.watterscrossing.com](http://www.watterscrossing.com). The ACC does not participate nor communicate via any social media platform.
2. No visit or verbal communication is done regarding the initial communication of a violation. ACC communication is in writing to ensure the violation and remedy is understood by all parties and for ACC history.

3. An initial letter is issued via US Mail for a first violation. It contains the violation, the applicable Covenant, and the date that is asked for remedy. Generally, a minimum of 30 days is given for remedy on a “first letter”, but that may be up to 120 days, or more, depending upon the type of violation. Letters contain the email and US Mail contact information such that a homeowner may respond to the ACC if they wish. The ACC encourages responses if there is any need to clarify the violation, confirm if the address is correct, or ask any other questions the homeowner may have. If there is a sufficient need, a meeting can be arranged between the homeowner and two ACC members to review the property and further clarify the violation and what is necessary to remedy.
4. Depending upon the violation, an additional reminder may be sent regarding the violation in the initial letter.
5. When a violation remains after the passing of the remedy date in the “first letter”, a “second letter” is sent to the homeowner. This letter is sent in duplicate; one is via US Mail and one is via Certified Mail. This letter contains required, legal language regarding the violation, the date for remedying the violation, and the process for a homeowner to appeal the violation. This letter notes that should the remedy date pass, the violation will be forwarded to the HOA attorney and \$150 will be added to the homeowner’s HOA assessment. Note that when Certified Mail is sent to a homeowner on a violation, the address of the violation is denied access to all Watters Crossing amenities. This includes the Clubhouse, both pools, the tennis court, and the two private, Watters Crossing parks.
6. Should the date on the second, certified letter pass with no remedy to the violation, the following is initiated:
  - a. The item is forwarded to the HOA attorney
  - b. All attorney fees regarding the violation are added to the homeowner’s assessment.
  - c. \$150 is added to the homeowner assessment
7. Once a violation is passed to the HOA attorney, the matter is then resolved between the attorney and the homeowner.
8. While the ACC appreciates the homeowner remedying a violation within the time asked for, there is no confirmation notice sent by the ACC that the violation has been remedied. Instead, the address is noted as remedied and remains on the ACC agenda for one month, as remedied, and is then removed from the agenda.