

DRAFT Morningview Homes Association Home Maintenance Procedures

I. Purpose

The purpose of this document is to provide policies and procedures for the Home Maintenance Committee (HMC) for Morningview Homes Association (MHA) to insure compliance with the revised Home Maintenance Guidelines.

II. Scope

The policies and procedures listed apply to all homeowners in MHA, board members and members of the HMC.

III. Definitions

- A. Home Maintenance Committee-** A committee of volunteers from homeowners within MHA. The committee must consist of no less than 5 homeowners. Only one member of a MHA home can be represented on the committee.
- B. Home Maintenance Guidelines-** A revision to the MHA Bi-laws that was voted in on _____, 20__.

IV. Procedures

- A. Notification to Committee-** HMC can be notified of an alleged violation and/or improvement request several different ways.
 - 1. A member of the HMC is notified by the City of Overland Park
 - 2. A homeowner notifies HMC of a request for an improvement
 - 3. A member of the HMC is notified by a MHA owner or resident
 - 4. A member of the HMC observes a possible violation
 - 5. Any other means of communication that provides the HMC the knowledge of an alleged violation or a request for an improvement.
- B. Yard or Structure Maintenance Violation-** the following steps are to be taken when the HMC is made aware of an alleged violation:
 - 1. The HMC will investigate the allegation to confirm if it is a true violation of the Home Maintenance Guidelines.
 - 2. The HMC will review the results of the investigation and decide if the allegation is a true violation.
 - 3. If it is a violation, a notice will be served to the homeowner advising them of the violation. One notice will be affixed to the door of the property. The other (a duplicate) will be sent via certified mail. This notice will give them a specific time frame to correct the infraction. It will also include what actions and penalties MHA HMC intends on enforcing if the correction is not made.

4. If the correction is not made by the deadline provided, but the homeowner has communicated with the HMC or a MHA Board Member, a legitimate condition and/or situation that makes the correction not possible for the homeowner, the HMC will need to meet on alternate solutions on how to correct the violation.
5. If the correction is not made by the deadline provided and the homeowner has not communicated a legitimate reason why, the HMC will begin the process of hiring a contractor to complete the work that is required to correct the violation. (*Structural repairs or modification may need special consideration*)
6. Once the work is complete, the HMC will send a notice to the homeowner explaining what fine they are responsible for. (*The fine will include the cost of correcting the violation and the fee that is assigned to the violation*) It will give the homeowner 30 days to pay or make arrangements to pay the fine.
7. If the homeowner has not attempted to pay or make arrangements to pay, the HMC will request MHA to place a lien on the home for the amount of the fine.
8. The fines will be decided on annually by the HMC and no single fine shall exceed 25% of the annual MHA dues unless the violation is a repeat infraction. The HMC has discretion to adjust fines for repeat offender, but should not exceed 3 times the amount of the normal fine (75% of the annual MHA dues).

C. Improvement Notification- The following steps will be taken by the HMC once notified of an improvement request.

1. If the improvement is typical and not beyond reasonable limits or extreme the HMC will approve improvement.
2. If the improvement is beyond reasonable limits or extreme or that may take up more than 25% of the existing lot, the HMC will notify the surrounding neighbors. Objections from surrounding neighbors as well as the HMC members will be considered as the committee decides if the improvement request will be approved or denied.
3. Any improvement that requires approval that is started without the HMC approval will result in an injunction being pursued by the MHA until the appropriate approval process is followed.

D. Fines- All fines collected will be used for overall MHA maintenance.

1. Administrative costs for the HMC.
2. At the HMC's discretion, helping homeowners who are unable to keep their homes properly maintained.
3. Beautification of MHA in general.