

DRC GUIDELINES FOR ENFORCEMENT OF THE KREHA COVENANTS

In accordance with paragraph 8.6 of the Declaration of Protective Covenants, Restrictions, Easements, and Agreements for the Plat of Kopachuck Ridge Estates (Protective Covenants), the Design Review Committee (DRC) is charged with the responsibility to "interpret the provisions" of the Protective Covenants. The purpose of this guideline is to provide guidance for Kopachuck Ridge Estates (KRE) Board Members, Design Review Committee Members and information to Property Owners in regard to compliance with these Covenants. The Design Review Committee, along with the responsibility for interpretation of the Covenants, has the duty of enforcement and compliance of these Covenants.

- (1) The DRC may follow these guidelines to settle an alleged violation(s) of the Covenants by a homeowner. All actions by the DRC require a majority vote.
 - a. An alleged violation may be brought to the attention of the DRC by any Homeowner.
 - b. After being made aware of the alleged violation the DRC will have thirty days to make a determination if further action is warranted. If further action is not recommended the matter is dropped.
 - c. If further action is warranted, the DRC will inform the involved Homeowner in writing within thirty days. The Homeowner will be asked if he would like to respond to the DRC and justify his actions. The Homeowner will be given thirty days to respond to the DRC unless otherwise stipulated.
 - d. If the Homeowner can justify their actions or remedy the violation within a reasonable amount of time to the DRC satisfaction the matter will be dropped. If not, the matter becomes a violation of the Covenants.
 - e. If the Homeowner accepts the judgment of the DRC and remedies the violation then the matter is closed. If the Homeowner refuses to accept the judgment of the DRC then the matter will be handled as per paragraph (2) of these guidelines.
- (2) If the DRC is unable to satisfactorily settle a violation(s) of the Covenants by a Homeowner, the DRC will inform the KREHA President of the situation. The President, or his designated representative, will attempt to mediate between the DRC and the Homeowner to try and reach an equitable solution between both parties. If this proves

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unsuccessful, the President will inform the DRC. The DRC may then ask the President to call for a hearing. The President will then:

- a. Establish a time and place for a hearing.
- b. The Hearing will be of informal nature and legal procedures of testimony and evidence will not apply.
- c. Invite all members of the Board and the Homeowner in violation to attend.
- d. The President will preside over the proceeding. Evidence and arguments will be heard from both the DRC and the Homeowner. A minimum of seven board members must be present.
- e. At the conclusion of the Hearing the President and Board may withdraw, discuss, and vote on whether to reject or affirm the charges brought by the DRC against the Homeowner. All members of the Board will have the power to vote on this matter. If the vote results in a draw and no majority decision is reached, the President will be recused from voting so a majority will prevail.
- f. The President may at his/her discretion delay the vote to a future time to allow private discussion with the voting Board Members. In any case, a vote must be cast in a reasonable amount of time.
- g. A written record of the decision will be provided to all parties
- h. If the Homeowner is exonerated, the DRC may reconsider the charges against the Homeowner or seek other remedies.
- i. If the charges are affirmed, the Homeowners Association is authorized to pursue legal action against the Homeowner.

Adopted June 17, 2010