



HOW TO RESPOND TO VIOLATION NOTICES

Tips from HOA management experts on the best way to respond to an HOA code violation.



IT'S CLEAR THAT VIOLATION NOTICES ARE OFTEN THE LEAST-LIKED ASPECT OF LIVING IN A COMMUNITY WITH A HOMEOWNERS' ASSOCIATION.

While receiving an HOA violation notice can be frustrating, it's important to remember that violation notices aren't punitive. These rules and regulations are in place to make your community look great and increase your property value. It can be tough to keep track of the many rules and regulations that apply to your community, especially if you have moved in recently. Here are eight tips from our HOA management team to help you navigate the ups and downs of HOA code violations.

1. UNDERSTAND WHY THE RULES EXIST IN THE FIRST PLACE

By organizing these guidelines and formalizing them in your governing documents, your HOA clearly outlines what will be expected from you and what you can expect from your neighbors.

2. ASK WHY YOU RECEIVED THE NOTICE

If you're caught off guard by a notice, then you probably didn't realize you were in violation. Contact your community manager and ask for an explanation. Understanding where the association is coming from can help you contextualize the notice. Remember that the association is responsible for drafting its community rules, not your management company. However, your property management company is available to help. If you have questions, reach out to your community manager for clarification.

3. REMEMBER THAT NOTICES ARE NOT AN ATTACK ON YOUR CHARACTER

When violations are noticed (either reported by neighbors or recognized during regular community inspections by your property management company), the process is to first send you a reminder, then follow up with more serious warnings if you remain in violation. Your board understands that oversights happen and they should treat the entire process objectively. The goal is to simply make you aware of the mistake so you can correct it.

4. UNDERSTAND THAT IT IS A PROGRESSIVE PROCESS

Just because you receive a violation notice doesn't mean that you are automatically subject to a fine. The process generally looks like this:

Warning notice > Second violation notice > Third violation notice > Hearing

You'll have ample time to ask questions, correct the problem or share your concerns with the board before facing a penalty.

5. IF THERE ARE EXTENUATING CIRCUMSTANCES, LET THE BOARD KNOW

Appealing to the board is always an option, in writing or in person at an HOA board meeting. Your community manager can help by putting you on the next meeting agenda to discuss your issue. If there are any extenuating circumstances, let the board know, so they can adjust the process and work with you. Come prepared for the meeting (or when writing a letter) by compiling any backup documents that support your position. Approach the situation with an optimistic attitude. Your board wants to resolve issues and keep the community looking great, not create a confrontation.

6. REMEMBER THAT THE PROCESS IS CONFIDENTIAL

If you notice that a neighbor is breaking the rules and you report it to your community manager, know that your concern has been heard and your property management company is handling it. The violation process is confidential, so you won't receive status updates unless you are directly involved. Though you might not see an immediate resolution, trust that due process is underway.

REMEMBER, YOU CAN TRUST YOUR PROPERTY MANAGEMENT COMPANY TO KEEP HOA VIOLATION REPORTS CONFIDENTIAL.

7. FAMILIARIZE YOURSELF WITH YOUR GOVERNING DOCUMENTS

Know what is contained in your community's governing documents, so you are aware of which issues are within the board's authority to absolve. Read the requirements, how they were violated, the fine schedule, and the remediation process. Understanding the contents of your community's rules and regulations makes it easier for the discussion to move forward.

8. ASK YOUR PROPERTY MANAGER FOR CLARIFICATION BEFORE BEGINNING ANY CONSTRUCTION

No one wants you to sink money into an expensive construction project that will put you in violation of your community's rules. Use your community manager as a resource by discussing your plans before you break ground. Your manager knows your community's governing documents inside and out. They will look closely at the sections that apply to your project and point out any areas that might get tricky so you can adjust accordingly while you're still in the planning stages.

HOAS PROTECT YOUR PROPERTY VALUE

One of the benefits of living in a community that is governed by an HOA is that there are certain guidelines in place to protect your property values. Though you do your best to stay compliant, everyone understands that mistakes happen. Hopefully, these tips will help you navigate the process of managing a violation so you can resolve it quickly and get on with your day.

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