

# *The Estates at Dove Run*

## **Architectural Review Committee (ARC) Policies and Procedures Regarding the Resolution of Alleged Deed Restriction Violations**

- 1) No sitting member of the Architectural Review Committee (ARC) shall be allowed to have any documented, outstanding violations of the “Declaration of Restrictions” (dated 25 April 2002) as filed with the New Castle County Recorder of Deeds (hereafter known as “Deed Restrictions”) at his or her property and remain active on the committee. Once violations have been resolved and with the consensus of a quorum of ARC members in good standing, participation by the individual may resume within the ARC.
- 2) The ARC will actively pursue remediation of blatant nuisance violations such as improper parking of trailers, possession of trampolines or above-ground swimming pools, improper placement of basketball goals, or other violations as modified by rules 5 and 6, below, in a consistent and uniform manner. All other violations reported in writing to either an ARC member or to the Homeowners’ Association (HOA) website will be reviewed for required action by the ARC on a case-by-case basis.
- 3) Any HOA Executive Board or ARC member that refers a violation for review or that has an alleged violation brought against them shall be excluded from the decision-making and remediation process in regards to the specific complaint.
- 4) The ARC shall make a determination of violation solely based upon the Deed Restrictions **as written**. Committee members shall not apply favoritism or personal bias in cases where a violation is clear. Should the ARC be equally divided on an issue or it is unable to arrive at a consensus, the matter should then be brought before the HOA Board of Directors at their next-scheduled board meeting (or sooner as conditions require) for final determination.
- 5) If a complaint is determined to be a violation of the Deed Restrictions, the ARC shall then direct the owner of the violation in writing to remove the violation from his/her property. Violations not resolved within 72 hours of notice (or an alternate time agreed upon in advance by the committee and documented in writing in the Notice of Violation to the violation owner) will be referred to the HOA attorney for further action.
- 6) A member of the ARC assigned by the ARC chairperson will make a reasonable effort investigate other properties within The Estates at Dove run to ensure that similar violations to those resolved by Notice of Violation do not exist at other properties in the community.
- 7) The ARC chairperson shall maintain a written or electronic copy of all issued Notices of Violation for a period of not less than one year from the date the notice is issued. In the event that ARC leadership passes from one chairperson to another, it is incumbent upon the outgoing chairperson to transfer copies of all notices to the new chairperson as a part of leadership transfer.