

ASC Compliance Policy and Procedures

Purpose: In order to effectively enforce Covenant 5.01 and 5.02, the following policy has been adopted to outline property and home compliance deficiencies and to outline specific action that may be necessary to resolve the issue when an owner is not responding and continues to be non-compliant.

Duty of the ASC Administrator or their Designee:

To view all improved property and unimproved lots from the street, golf course and harbour, and document deficiencies Covenant 12.12 – No Trespass; allows the ASC administrator or ASC member to enter upon properties for compliance purposes.

To notify homeowners and track progress of identified compliance/maintenance issues.

Responsibilities of all Wexford Property Owners:

Covenant 5.01

Each Owner or Multi-Family Association shall be responsible for maintaining his or its Lot, Dwelling, or Multi-Family Area, as the case may be, in a neat, clean, and sanitary condition and such responsibility shall include the maintenance and care of all exterior surfaces of all Dwellings, buildings, and other structures and all lawns, trees, shrubs hedges, grass, and other landscaping. Furthermore, all docks, wharves, bulkheads, boat slips, or boathouses

Guideline 2.6.4 – Compliance – Contains additional, specific information concerning construction and improvements.

Owners are requested to be conscious of the appearance of their property as viewed from the street, harbour, golf course and neighboring homes and lots.

Compliance and Maintenance Checklist - includes but is not limited to:

Home Maintenance

- Mold, mildew & stains on home, steps and/or roof
- Pinestraw/debris on the roof and in gutters
- Exterior painting of home, trim and/or shutters

Property Maintenance

- General landscape and/or lawn care maintenance
- Driveway, walkway, deck, porch maintenance/repair
- Untidy conditions – misc. items visible
- Bush hogging needed

Trees

- Trim Palms
- Tree Removal per Wexford Tree Policy

Storage

- Commercial Vehicle/Trailer is not garaged
- Utility Vehicle is not garaged or stored

Bulkhead & Docks

- Vegetation is on or over the bulkhead
- Sink holes near the bulkhead
- Dock needs repair/maintenance

Screening

- HVAC, pool/pool equipment are visible
- Lawn Accessories are not screened

Compliance Notification and Enforcement:

1. The compliance issue will be identified by the designated Compliance Monitor. Compliance issues will be viewed from the street, Golf Course and Harbour. An owner may also request that the Compliance Monitor view an issue from their Wexford property.
2. If a compliance issue is identified, a personal courtesy call will be made to advise the owner of the deficiency and that a notification will be sent.
3. First Email Notification – an email will be sent to the owner along with pictures that were taken of the deficiency. The Security Clerk will send the initial notification. The owner has 15 days to comply or respond with a plan. The owner should notify the Security Clerk upon completion of the remediation.
4. Second Notification – if the owner does not respond or schedule the remediation of the identified deficiency within 15 days of first notification, a second notice will be sent. The owner has an additional 14 days to respond to the second notice. The owner should notify the Security Clerk upon completion of the remediation.
5. In the event of emergency situations or the failure of any owner to comply with the documented deficiency, the Wexford HOA may provide (but shall not have the obligation to so provide) any such maintenance, cleaning, repair, or replacement at the sole cost and expense of such Owner. (per Covenant 5.02 b)
6. If the owner does not respond to the Second Email Notification, then the Owner shall be sent a final written notice per **Wexford Covenant 11.03 Procedure** as follows:

A written demand to cease and desist from an alleged violation shall be served upon the Owner responsible for such violation specifying:

The alleged violation;

The action required to abate the violation; and

A time period of not less than 10 days during which the violation may be abated without further sanction

Any further violation of the same provision may result in the imposition of sanctions after notice and hearing.

If within twelve months of such demand, the violation continues past the period allowed in the demand for abatement without penalty, or if the same violation subsequently occurs, the Board may serve such Owner with written notice of a hearing to be held by the Board in executive session. The time and place of the hearing shall be not less than ten days from the giving of notice.

Wexford Covenants 11.02 Authority and Enforcement

Subject to the provisions of **Section 11.03**, the Board shall have power (i) to impose monetary fines and a continuing lien upon the lot or dwelling, (ii) suspend the owner's right to vote in the Association or (iii) suspend an Owner's right to use any Recreational Amenities, and the Board shall have the power to impose all or any combination of these sanctions. Any suspension of rights shall not exceed 30 days. The Owner, his family, guests, tenants and his co-Owners, his family, guests, tenants of his co-Owners are all subject to any sanctions.

Note: Please refer to Wexford Covenants 11.02 and 11.03 for additional specific information.