

Nuisance complaints, procedural rules

Nuisances such as those listed in Article 7, section 3, of the Saddleback HOA bylaws will be handled in the following manner.

Complaints must be made in writing. The person making the complaint will not remain anonymous. The complaint must include a description of the nuisances, the date or dates of occurrence, and the street address at which the nuisance occurred.

The investigation of the nuisance complaint shall begin by contacting the homeowner of the address associated with the nuisance for a non-confrontational discussion about the activity. A written record of this discussion must be made and retained. If the investigation determines that a nuisance has occurred, it will be considered incident number one.

If the homeowner does not respond to the initial contact within ten days or is unwilling to discuss the nuisance complaint, a written warning shall be sent via email or USPS. The latter method must include proof of delivery. The warning shall be accompanied by a copy of Article 7, section 3 of the bylaws and a copy of the penalty schedule.

After discussion of the complaint with the homeowner in question or delivery of the warning, the officers may meet in executive session to officially declare the penalty schedule.

If the nuisance recurs, a \$150 penalty will be assessed for the second incident. If the nuisance recurs a third time, an additional \$150 will be assessed. After the third incident, the penalty will be \$300 for each recurrence.

The homeowner of the named address has appeal rights. The appeal must be made in writing within 15 days of the first penalty assessment. The officers will schedule a meeting with the homeowner for discussion of the appeal. Other homeowners may be in attendance if the appeal is placed on the officers' agenda at a regularly scheduled meeting.

Each penalty assessment is due and payable within 30 days. If payment is not made within this time period, an additional \$25 per month will be assessed for each unpaid penalty. If total payment is not made within 60 days of the first penalty assessment, legal remedies will be pursued.

Any costs associated with the investigation of the nuisance and enforcement of these penalties will be paid by homeowner of the address associated with the nuisance.

These procedural rules will be in effect as of December 30, 2022.

Resolution approved on November 28, 2022 by the Saddleback HOA officers
Sherry Smith, President
Marissa Groza, Vice-President
Jenni Newby, Secretary
Jen McCarthy, Treasurer