

TRI-PAR ESTATES PARK AND RECREATION DISTRICT POLICY AND PROCEDURE MANUAL

ITEM: 5:33 VIOLATIONS OF DEED RESTRICTIONS FOR CONDITION OF PROPERTY

Each step must be completed fully and documented in detail, as these actions could potentially result in litigation between District and the property owners.

1. Upon receipt of complaint or observation of possible violation, Park Manager or his/her designee, will travel to property to inspect. If violation exists, a report showing detailed findings of the inspection will be prepared. Digital photos to document conditions will be taken and dated, and attached to report (file).
2. The property owner shall be notified of any violation in writing via certified mail, return receipt requested, and regular mail to the property owner address and other mailing address on record, if any. The notice shall include the specific section or rule violated, photographs of the violation (if any), the date by which a violation must be corrected, contact information for questions or appeals, and potential penalties for non-compliance. This first notice will be provided to the property owner immediately following the documentation of the violation.
3. At the same time of the first written notice of violation, the Park Manager will contact the property owner by telephone if possible, giving details of violation, and requesting correction within the time frame as specified in the first written notice of violation. At the same time, the Park Manager will explain the policies around enforcement of violations including potential costs and suspension of privileges.
4. If the violation has not been corrected within the specified timeframe, the property owner will be notified with a second written notice in writing via certified mail, return receipt requested, and regular mail to the property address and other mailing address on record, if any, again outlining the information included in Section 2 above. This notice should include a shorter timeframe to correct the violation.
5. If corrections have not been completed within the second noticed specified timeframe, the Park Manager will consult with the Board Chair and/or Deed Restriction Trustee in order to move forward. The property can then be presented to the Board of Trustees for fines and suspensions pursuant to the procedures outlined in Item 5.34 of the Policy and Procedure Manual.
6. For violations the District may correct itself, a Final Notice with a 72-hour notification will be posted on the property. If the violation still exists after the 72 hours, the Park Manager will get a quote from a maintenance contractor to complete the required corrective work. The work will be completed by the maintenance contractor and the invoice will be paid by Tri-Par Estates. If projects that need to be corrected are unable to be done by the District by hiring a Contractor, legal action may be considered as an alternative by vote of the Board of Trustees.
7. Once the corrective work is completed, staff will prepare a detailed invoice, including a 10% overhead charge, and send same to owner at the property address. Invoice(s) are required to be paid within thirty (30) days. Invoices not paid within thirty (30) days will accrue interest at the rate of 18% per annum and will be added to any estoppel or closing statements. Invoices

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not paid within sixty (60) days may become a lien against the property. At Tri-Par's fiscal year end, a statement will be sent to the owner at the property address reflecting the total amount remaining due including accrued interest. If amount owed becomes excessive, the Park Manager or Board Chair may recommend that legal action to collect the debt be started. The Board of Trustees will be required to have an affirmative vote to proceed with legal action.

Adopted 10/20/2020;

Reviewed & Adopted 11/18/25