

ANTHEM PARKSIDE COMMUNITY ASSOCIATION, INC.

VIOLATION APPEAL PROCESS

(Updated 07/21/2011)

- When a violation notice is sent to a Homeowner, the notice includes a statement notifying the Homeowner that they have the “RIGHT TO APPEAL.”
- When a Homeowner wants to appeal a violation, they must send the Management Company written notice that they are requesting an appeal of the violation.
- Appeal shall be received within (10) days of the date of the fine notification.
- Appeal shall fully demonstrate the circumstances that caused the deviation and/or violation of the CC&R, By-Laws, or Use Restrictions/Rules & Regulations.
- Appeal shall include any pertinent backup information to support the appeal.
- All appeals shall include what corrective action the Homeowner plans to take.
- Any appeal, which does not meet the above requirements, shall not be heard by the Board or the Policy Committee and shall be considered DENIED.
- All decisions of the Board are final and may not be further appealed.
- The Homeowner appealing the violation will be given written notice that the appeal is scheduled. The appeal hearing does not guarantee the lot owner or their representative a personal appearance.
- Unless otherwise requested by the Homeowner, all appeals shall be held in Executive Session
- If a Homeowner chooses for their appeal to be held in Open Session, they must state so in their appeal request and provide notice no less than 14 days prior to a regularly scheduled Open Session Board Meeting.
- The Board President or Committee Chair will introduce all parties.
- Only individuals which are listed as the legal Homeowner on the Deed to the property are permitted to attend the appeal meeting.
- If the legal Homeowner is not able to attend their appeal meeting in person, the Board will fully consider the appeal in their absence.
- Lengthy discussions are NOT part of an appeal process.

- The Homeowner who is appealing will be asked to state their case and present any documentation that is applicable.
- Each Board Member or Committee Member will have the opportunity to ask the Homeowner specific questions regarding the appeal.
- Upon completion of the question and answer period, the Board President or Committee Chair will state that the appeal has been heard and the Board will make their decision in closed session. The “Written Notice” of the Board’s decision will be given to the Homeowner within (7) working days.
- Unless otherwise stated, if the appeal is denied, the Homeowner must bring the violation into compliance within (14) days of the date of the Board’s response. The Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowners and collected in the same manner as assessments.
