

## Policy for Addressing Complaints Regarding Violation to the Restrictive Covenants

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February 9, 2010

From time to time, homeowners need assistance to address covenant violations with their neighbors. Below is our policy for interceding in these matters.

This policy in no way prevents the OMS HOA or any individual lot owner from taking legal action on its own regarding any violation of the restrictive covenants it deems necessary as allowed by the covenants and applicable law(s).

### **Step 1 - Investigate**

The homeowner should first check the restrictive covenants for the specific lot thought to be in violation. Remember our community has three sets of restrictive covenants. What is true for phase 1 lots is true for all lots, but covenants for phase 3 do not apply to phase 1. For example, 6 foot fence height is ok for phase 1, but in phase 3 the maximum fence height is 4 feet.

### **Step 2 – Attempt neighborly resolution**

The homeowner should attempt to address his or her concerns with the neighbor responsible for the violation. If corrective action is not taken in a reasonable amount of time, the homeowner may file a written complaint with the Home Owner's Association Board of Directors. Verbal complaints will not be investigated.

### **Step 3 – File a complaint with the Board of Directors**

Submit a letter or fill out the online form with the appropriate information as follows:

- Include your name, address and phone number. Anonymous complaints may not be investigated.
- Brief description of the problem including specific covenant that is violated.
- Include the name of the person you spoke with and the date of your conversation.
- Your recommendation for correcting the problem.

Letter – Ole Mill Stream HOA, PO Box 1022, Clayton, NC 27528

Website – [olemillstream.org/covreport](http://olemillstream.org/covreport)

### **Step 4 – Action by the Board of Directors**

Upon receipt of the written complaint, the OMS HOA Board of Directors will investigate the violation. If the homeowner is found to be in violation, the OMS HOA will move forward according to established procedures allowed within existing covenants and bylaws for remediation.

### **Step 5 – Resolution and Follow up**

The OMS HOA will provide a written response to all parties concerned of the investigation results and any corrective actions that were taken.