

## Walden Woods Standard Committee January Report

To: Walden Woods Conservancy

From: Cathy Miller

CC: Lynn Fitzgerald, Elite Property Management & Standards Committee

Date: 2/16/18

### Hearing vs. Appeals

The appeal process as it is being followed today is in conflict with the process stated in the Rules. In accordance with Subsection 5.7.4 of the Rules, a hearing to discuss a Standards Committee decision should be made to Standards Committee prior to an appeal with the Conservancy. Therefore, any HO who would like to have their denied AAI or fines reviewed should do so with the SC prior to an appeal at the Conservancy. After a hearing is held with the HO, the SC will issue a final decision to Elite. The final decision will indicate if any changes from the original decision or reduction in fines have been made. At this point, the HO can appeal the SC decision to the Conservancy who will make the decision to either uphold SC's decision and/or fines, reverse the decision and/or fines or partially reverse the decision and/or fines.

**Subsection 5.7.1 - Approval Procedure.** Unit Owners seeking approval for changes, additions, alterations, improvements, staining, painting or siding, to their Unit or a Limited Common Element allocated in whole or in part to their Unit shall submit a completed request for design approval to the Standards Committee **prior to commencing any work**. The request shall be on a form prescribed by the Standards Committee. The completed form shall be accompanied by a set of drawings, specifications, site orientation details, and landscaping plans satisfactory to the Standards Committee for it to consider the proposal. If the work is to be performed by licensed contractors, each licensed contractor must provide a copy of its certificate of general liability insurance and workers compensation insurance coverage and the Unit Owner must submit copies of all such insurance certificates with the request for design approval.

**Subsection 5.7.4-Appeals Procedure.** Any Unit Owner entitled to a design review by the Standards Committee shall have the right to appeal from an adverse decision of the Committee following a hearing before the Committee. The appeal shall be to the Conservancy Board in accordance with section 24.3 of the Declaration.

- The Standards Committee is recommending the following changes to the fee structure in Subsection 31.2 – Schedule of Fines. SC is also recommending a change to the wording in (c) to reinforce the need to follow the process.
  - (a) Failure to obtain AAI when required to do so: \$200 per occurrence (previously \$100)
  - (b) Beginning work before receiving AAI approval: \$150 per occurrence (previously \$75)
  - (c) Failure to ~~complete required steps~~ comply with an approved AAI process: \$200 per occurrence

### Inquiries to Elite for Questions or Investigation:

- 1 Picket Lane
  - Front door and shutters painted without AAI
- 11 Aster
  - Gas can next to house, residence in need of power washing, rope hanging off back stairs.
- Next meeting is 3/15/18.

