



WATERCREST Newsletter

Brought to you by your Watercrest Communication Committee

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NEW COMMUNITY WIDE STANDARDS (CWS) COMMITTEE

The newly established CWS Committee has been given the assignment to review, clarify and help define the CWS in order to make recommendations to the BOD on changes they believe are beneficial to Watercrest. The members of this committee are: Bruce Rider, Debbi Brengle, Nancy Ashley, Joyce Cannone, Sheryl Isenstein (Chair) and Janet Slavin BOD Liaison.

The goal of the CWS is to maintain the ambiance of the Watercrest community, protect owner's property values, and minimize environmental impact. Watercrest is a deed restricted community. The restrictions are defined in the community's Declaration of Restrictions that are available on the Watercrest Property Management website. They should be read and retained as part of your permanent records. The CWS provides additional detail and explanation of the Declaration of Restrictions and is the homeowner's manual that provides guidelines for the standard of conduct, construction and exterior home changes, maintenance, and other general activity that may occur throughout the neighborhood. These standards are not intended to be all-inclusive but address the most common issues and may be more specifically determined by the BOD. These standards are enforceable, and fines and/or suspension of privileges may apply for noncompliance. The CWS cannot override the Declaration of Restrictions.

This review and clarification of the CWS is a very important, time consuming and exacting task and the CWS Committee is to be commended on their willingness to take on this much needed and very important task.

May Meetings:

BOD:

Thurs 05/04/2023 6:00-8:00
Jacaranda Library & Zoom

ARC:

Wed 05/03/2023 10:00
Amenity Ctr & Zoom

Wed 05/17/2023 10:00
Amenity Ctr & Zoom

The following Covenant Violation Remedial Process document is not currently available on the mywatercrest.com website and is being provided here to educate residents as to the process.

WATERCREST: Covenant Violation Remedial Process

First Notice of Violation Letter. Sunstate personnel identifies a Lot with a covenant violation. Violation photographed and/or otherwise documented by Sunstate. First letter ("Nice Letter") requesting remediation is sent by Sunstate to home owner (HO) and to violator(s), if different. Requests action plan. Provides reasonable time for remediation. If HO and/or violator contacts Sunstate, a written agreement to remediate is negotiated and a compliance dates and time table are set.

Second Notice of Violation Letter. If no response or no action by HO and/or violator, stronger letter ("Formal Demand Notice") is sent to the HO and/or violator(s) indicating that if the issue is not resolved a fine in accordance with the Covenants may be imposed. Fine imposed may be up to \$100 per day to a maximum of \$10,000 per violation.

Board Meeting to Levy Fine(s). If no response or no action by HO and/or violator, Sunstate provides file with evidence to the HOA Board for determination. Board reviews each file and evidence and may levy a fine under Sec. 11.4(a) of the Covenants. This fine is levied upon majority vote of the Board members at a monthly meeting or such other date and time they designate. Evidence of the board's action must be placed in the file by Sunstate and the HO and/or violator must be informed of the board's action. *Notice and Agenda* and *Minutes of Board meeting*.

14-day Notice of Hearing Panel Meeting. After the fine is levied by the board, another letter is sent to the HO and/or violator indicating that a fine has been levied and that the matter will be considered by the HOA Hearing Panel (HP). The notice of the hearing must be sent at least 14 days prior to the hearing date set. HO and/or violator is notified of their right to attend and make their case. Hearing date is set. HO and/or violator may request a different hearing date in which case the hearing is set for another date or time.

Hearing Panel Hearing. Hearing Panel (HP) reviews the file, examines the violations, examines the evidence, listens to the HO and/or violator if they are present, discusses among themselves, then makes a decision. Fine by the board may be upheld or dropped by the HP. Action by HP is limited to accepting or denying the final action by the board; it may not alter the board's decision.

Notice and Agenda and Minutes of HP meeting.

Notice of HP Decision. If the HP disapproves the fine, the Association will send a letter to the owner and violator(s) notifying them of the decision. If the HP approves the fine, the Association will send a 5-Day Demand for Payment Letter to the owner and/or violator(s).

File to Attorney. If no response or action by the HO and/or violator(s), file is sent to the attorney

Attorney Demand Letter. Attorney sends letter advising the HO and/or violator that the violation has been sent to them for formal collection of the fine and attorney fees.

Formal Collection Effort by Attorney. If settlement is not reached between HO and/or violator and the HOA as represented by the attorney, formal legal collection efforts are commenced. This may include recording and foreclosing on a claim of lien against the Lot and/or a lawsuit for a money judgement against the HO and/or violator(s).

Objective of the fining process is to gain compliance with the Covenants; NOT to make money. If the HO and/or violator petitions the board and shows an action plan after the fining process has been completed then the board has the discretion to waive the fine. However, any attorney's fees will be required to be paid by the violating HO and/or violator.

Are you or a neighbor you know celebrating a Marriage, a milestone Birthday or Anniversary? Are you a new Grandparent or Parent? Has someone in our Watercrest Community received a special award or special recognition for something. Lets celebrate by posting this in the monthly newsletter. To submit please email specifics to the Communication Committee at:

watercrestcommunicates_irene@aol.com

WATERCREST RECOGNIZES:

Please Welcome Our New Neighbors:

Jeffrey & Tonya Presley, 9916 Haze Dr.

Joining us from Indiana on a seasonal basis

Tim & Debbie Coffey, 19337 Bluff Dr.

Will be spreading time between Wisconsin and Watercrest