

HOA Non-Compliance Letters

At the Annual Meeting on November 12, 2009 concerns were raised regarding non-compliance letters and whether or not the Executive Board is dealing with issues of non-compliance in the HOA Community in a fair and impartial manner. In order to provide an accounting to the community regarding issues of non-compliance, the Executive Board will share the following information: how many letters were mailed in a particular calendar year and the types of non-compliance issues that have been addressed. It is the policy of the Executive Board to not reveal the names or addresses of individuals who receive letters of non-compliance.

The Board has stated many times that if a lot owner notices issues of non-compliance they are free to give the non-compliance information (in writing) to the Executive Board. In fact, it is helpful to the Board. What a particular lot owner may notice, Board members may not notice for a variety of reasons. It is Board policy that these notifications of non-compliance must include the name and address of the person reporting said issue. When this information is received, the Board will first confirm the issue, and then, if appropriate, notify the lot owner in writing about the non-compliance issue.

The Executive Board endeavors to treat all issues of non-compliance in exactly the same manner. The following is the Board policy for dealing with issues of non-compliance:

“When issues of Non-compliance with Ashcombe Farms Dover HOA's Regulations arise, a letter of notification will be sent to the Lot Owner citing the Regulation that is being violated and requesting that the situation be corrected within ten (10) days. The letter will be sent by standard US mail to contact Lot owners who are in non-compliance. There will not be personal discussion with a Lot Owner regarding an issue of noncompliance. If the Lot Owner remains in Non-Compliance after the first ten (10) days, and the Executive Board will again request correction of the matter within ten (10) days. If the violation remains at the end of the second ten day period, the matter will be forwarded to the Ashcombe Farms Dover HOA attorney who will inform the Lot Owner of penalties, fines, liens or further legal action that may be taken.”

In 2004 eleven (11) non-compliance letters were mailed. The letters dealt with the following non-compliance issues: fences, unkempt yards, garbage in public view, and commercial vehicles.

In 2005 forty-eight (48) non-compliance letters were mailed. The letters dealt with the following non-compliance issues: fences, unkempt yards, unlicensed vehicles, garbage in public view, political signs, and disposing of trash, yard waste, and/or garbage on common areas.

In 2006 forty (40) noncompliance letters were mailed. The letters dealt with the following non-compliance issues: trailers, garbage in public view, unlicensed vehicles, unkempt yards, contractors' signs, planting in common areas, commercial vehicles, and certain types of construction without required Executive Board approval.

In 2007 twenty-six (26) non-compliance letters were mailed. The letters dealt with the following non-compliance issues: political signs, contractors' signs, unkempt yards, garbage in public view, trailers, commercial vehicles, pet waste, and certain types of construction without required Executive Board approval.

As the community has grown larger with more residents, then it is only normal that the number of non-compliance issues would increase. This is reflected in the increase of non-compliance letters having been

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sent within the last few years. In 2009, the Community Support Committee was quite active in reporting a variety of non-compliance issues to the Executive Board.

In 2008 sixty-nine (69) non-compliance letters were sent. The letters dealt with the following non-compliance issues: garbage in public view, trailers, commercial vehicles, dumping on common grounds, contractors' signs, unkempt yards, political signs, no yard light, running a business from a home, and contractor signs.

Thus far in 2009, ninety-four (94) non-compliance letters were sent. The letters dealt with the following non-compliance issues: contractors' signs, unkempt yards, items in yards impeding mowers, garbage in public view, trailers, no yard lights, dumping grass and yard debris on common areas, pet waste, and commercial vehicles.

If any Lot Owner has further questions or concerns about non-compliance issues (or any other Board matters), please address these concerns to the Executive Board. Please contact the HOA Executive Board in writing and request a meeting – to ashcombefarmshoa@yahoo.com, via the HOA drop box, or to PO Box 121, Dover, PA 17315. In addition, the community is asked to remember that members of the Executive Board are volunteers and are not reimbursed for the work or the time involved in accomplishing the Executive Board's work. Each member of the Executive Board also has a family and other obligations besides the duties required by being a member of the Executive Board. Therefore, please do not address your concerns at a Board member's residence or on the street. All members of the Executive Board are willing to address concerns of the community at the convenience of all people involved.