Non-compliance Board Response Procedures

1. A Board member receives a completed non-compliance form from a lot owner.
2. The Board member takes the form to the Secretary who assigns the next non-compliance Form number. A copy of the form is given to the Board President.
3. The Secretary will remove the name section of the lot owner who filled out the form. The Secretary will then send out the completed non-compliance form to the Board.
4. Each board member will review the complaint and see if they believe it is in violation of bylaws or covenants.
5. The lot owner, who is in possible violation, will be notified of the complaint prior to the next non-compliance meeting.
6. If the next board meeting is less than 30 days from the date the complaint was received, the non-compliance review will be added to the agenda for next board meeting.
7. If the next board meeting will occur over 30 days from the date the complaint was received, the president will call a special board meeting to discuss the non-compliance issue. The special board meeting notice will be posted on the board at least 10 days before the meeting is held.
8. At the board meeting, the President will read the non-compliance statement.
9. The Board will determine if the issue is in violation of bylaws, covenants or city ordinance and state the section in the bylaws or covenants the issue is in violation.
10. The Board will then compose a response to the lot owner who submitted the non-compliance form. The written statement from the Board of directors describes the result of the Board's review. The response will include the Article/Section of the documents governing Lemon Tree Estates and/or Texas State Law. The President and the Board member who received the form will deliver the response to the lot owner who filed the non-compliance form.
11. If the complaint is in a violation, then the President will send or deliver a letter to the person in violation (Violator) that they have 30 days to rectify the violation, otherwise action will be initiated. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages. If necessary, the issue will be turned over to the city for enforcement.