

MWHOA Procedure for Covenant Enforcement

Several homeowners have asked about the procedure the Board of Directors uses to enforce our covenants. The Board has adopted the following procedure based on guidance from the MWHOA lawyer in compliance with our covenants and Maryland law.

- 1) Homeowners are notified of non-complying conditions in a friendly letter. Most homeowners respond to the friendly letter and address their issues in a timely manner.
- 2) If no response is received to the friendly letter, a hearing is scheduled with the homeowner and the Board of Directors. If the homeowner does not attend the hearing, the Board will assemble evidence and determine whether a violation exists at the property.
- 3) Following the hearing and determination of a violation, the Board determines if additional enforcement action is necessary and whether to issue a fine for violations. (Fines are currently assessed at the rate of \$50 per violation per calendar quarter until the violation is resolved.)
- 4) A homeowner who believes that the Board does not have the authority to order the homeowner to correct a condition on the property may file a dispute with the Montgomery County Commission on Common Ownership Communities.
- 5) If the homeowner fails to pay the fines, the Board has the option to place a lien on the property or file a lawsuit to have the court order the homeowner to pay the fines and correct the violations.
- 6) If the homeowner fails to pay the amount of the lien, MWHOA has the option to foreclose on the property.

Homeowner Response Form

If you want to respond to this Notice of Non-Compliance or have comments for the Montgomery West Board of Directors, please use the space below and mail to:

Montgomery West HOA, PO Box 2111, Gaithersburg, MD 20886