

# **Cottages at Woodridge Homeowners Association**

## **RULES ENFORCEMENT POLICY**

*Effective May 20, 2026*

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### **1. Purpose and Scope**

#### **1.1 Purpose**

This Rules Enforcement Policy establishes a fair, consistent, and transparent process for enforcing the governing documents of The Cottages at Woodridge (the "Association"). The purpose of this policy is to:

- Maintain community standards and property values
- Ensure uniform enforcement of all rules and regulations
- Provide due process to all homeowners
- Promote a harmonious living environment
- Comply with Kansas law, including the Kansas Uniform Common Interest Owners' Bill of Rights Act

#### **1.2 Scope**

This policy applies to all violations of the Association's:

- Declaration of Covenants, Conditions, and Restrictions (CC&Rs)
- Rules and Regulations adopted by the Board

#### **1.3 Authority**

The Board of Directors derives its enforcement authority from the Association's governing documents and Kansas state law[1]. This policy shall be enforced uniformly and consistently for all homeowners without favoritism or discrimination.

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## 2. Violation Detection and Reporting

### 2.1 Methods of Detection

Violations may be identified through:

- Regular inspections conducted by the Board, Management Company, or designated Compliance Committee
- Reports from homeowners, residents, or guests
- Observations by Board members during routine community activities
- Anonymous complaints (which will be verified before action is taken)

### 2.2 Complaint Reporting

Homeowners may report suspected violations by:

- Submitting a written complaint to the Board Secretary
- Using the violation reporting form on eNeighbors
- Attending Board meetings to raise concerns

All complaints will be investigated promptly and impartially. Anonymous complaints will be accepted but must be verifiable through inspection.

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## 3. Violation Categories and Classification

Violations are classified into three categories based on severity and impact on the community:

### 3.1 Category A: Minor Violations

Non-safety violations that have minimal impact on the community, including but not limited to:

- Trash cans left visible from street beyond collection day
- Unkempt condition of porch or patio
- Holiday decorations displayed outside permitted timeframes
- Unapproved exterior modifications that are easily correctable

**Cure Period:** 3-10 days depending on the nature of the violation

### **3.2 Category B: Moderate Violations**

Violations that impact community aesthetics, property values, or involve repeat offenses:

- Unauthorized alterations to exterior of unit
- Parking violations, including unauthorized parking, parking in prohibited areas, blocking driveways or access, or violating posted parking restrictions; repeated parking violations may result in towing as provided in Section 8.2.
- Noise disturbances or nuisance behaviors
- Failure to maintain property to community standards
- Repeat Category A violations after prior warning

**Cure Period:** 7-14 days depending on the nature of the violation

### **3.3 Category C: Serious Violations**

Violations that pose safety hazards, legal risks, or significantly impact the community:

- Structural modifications without architectural approval
- Illegal activities on the property
- Harassment or threatening behavior toward residents or Board members
- Failure to pay assessments or fines after final notice
- Violations creating imminent danger or health hazards

**Cure Period:** Immediate to 7 days depending on severity; some violations may require immediate cessation

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## **4. Enforcement Process and Progressive Discipline**

The Association follows a progressive discipline approach to ensure fairness and provide opportunities for compliance.

### **4.0 Notice and Verified Contact Standard**

For purposes of this Policy, notices are deemed delivered when sent to the Owner's email or mailing address of record in the Association's files, consistent with the governing documents and Kansas law. In addition to sending written notices, the Association will make reasonable efforts to achieve verified contact with the Owner (such as telephone, certified mail, or hand delivery) before assessing fines, to ensure the Owner has a fair opportunity to understand and cure the violation. Documentation of notice and verified contact efforts will be maintained in the Association's enforcement records.

## **4.1 Step 1: First Notice of Violation (Warning Letter)**

**Timeline:** Issued within 10 business days of violation detection

**Content of Notice:**

- Description of the violation with specific details
- Reference to the governing document provision being violated
- Clear statement of corrective action required
- Reasonable timeframe for compliance (cure period)
- Contact information for questions or to request a hearing
- Notice of potential consequences if violation is not cured
- Information about the homeowner's right to respond or appeal

**No fine is assessed at this stage** for first-time Category A violations. This serves as an educational notice and opportunity to cure.

## **4.2 Step 2: Second Notice and Fine Assessment**

**Timeline:** Issued if violation continues beyond cure period stated in First Notice

**Content of Notice:**

- Reference to First Notice and cure period
- Confirmation that violation continues
- Assessment of fine according to fine schedule (Section 5)
- Additional cure period (typically 7-14 days)
- Notice that continuing violations may result in additional fines
- Information about hearing rights and appeal process

## **4.3 Step 3: Final Notice and Escalated Fine**

**Timeline:** Issued if violation persists after Second Notice cure period expires

**Content of Notice:**

- Summary of previous notices and homeowner's failure to comply
- Assessment of escalated fine according to fine schedule
- Statement that legal action may be pursued if violation continues
- Final opportunity to cure (typically 7 days)
- Information about potential legal costs and liens
- Mandatory hearing information (if requested by homeowner)

## 4.4 Step 4: Legal Action

**Timeline:** Initiated after all administrative remedies have been exhausted

If the violation remains uncured after Final Notice, the Association may pursue legal remedies, including:

- Referring the matter to the Association's attorney for legal action
- Authorizing towing of vehicles in violation of parking rules, in accordance with Section 8.2 and applicable law.
- Filing a lien against the property for unpaid fines and assessments
- Seeking injunctive relief to compel compliance
- Pursuing foreclosure proceedings for unpaid assessments (as permitted by law)
- Assessing reasonable attorney fees and costs to the homeowner's account

## 4.5 Immediate Action for Category C Violations

For serious violations posing immediate safety hazards or legal risks, the Association may:

- Skip warning steps and proceed directly to fine assessment
- Take immediate corrective action at the homeowner's expense
- Seek emergency injunctive relief
- Report violations to appropriate governmental authorities

Homeowners will still be provided notice and hearing rights as required by Kansas law.

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# 5. Fine Schedule

Fines are established to encourage compliance and deter repeated violations. All fines must be reasonable and proportionate to the violation.

## 5.1 Fine Amounts by Category

| Category              | First Fine    | Second Fine | Subsequent |
|-----------------------|---------------|-------------|------------|
| Category A (Minor)    | \$0 (Warning) | \$50        | \$100      |
| Category B (Moderate) | \$100         | \$200       | \$300      |
| Category C (Serious)  | \$250         | \$500       | \$750      |

Table 1: Fine schedule by violation category

## **5.2 Daily Fines for Continuing Violations**

For violations that continue after Final Notice, the Association may assess daily fines as follows:

- Category A: \$25 per day (maximum \$750)
- Category B: \$50 per day (maximum \$1,500)
- Category C: \$100 per day (maximum \$3,000)

Daily fines will not exceed the maximum limits stated above without Board approval and additional notice to the homeowner.

## **5.3 Fine Payment Terms**

- All fines are due within 30 days of assessment
- Late payment of fines may result in late fees of \$25 or 5% of the fine amount (whichever is greater)
- Unpaid fines will be added to the homeowner's account and may result in a lien on the property.
- Homeowners may request a payment plan for fines exceeding \$500

## **5.4 Special Assessments for Costs**

In addition to fines, homeowners may be assessed for:

- Cost of corrective action taken by the Association to remedy violation
  - Attorney fees and legal costs associated with enforcement
  - Administrative fees for processing violations and appeals
  - Costs of inspection or monitoring compliance
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# **6. Due Process and Hearing Rights**

## **6.1 Right to Hearing**

Homeowners have the right to request a hearing before the Board or an impartial hearing committee to contest any violation notice or fine assessment. This right is guaranteed by Kansas law and the Association's governing documents.

## **6.2 Hearing Request Procedure**

- Homeowners must request a hearing in writing within 14 days of receiving a violation notice
- Requests should be submitted to the Board Secretary
- Requests must include a brief statement of the homeowner's position
- Late requests may be accepted at the Board's discretion for good cause

## **6.3 Hearing Process**

- Hearings will be scheduled within 30 days of receiving a valid hearing request
- Homeowners will receive at least 10 days' advance written notice of the hearing date, time, and location
- Hearings may be conducted in person or virtually at the Board's discretion
- Homeowners may be accompanied by legal counsel or a representative
- Homeowners may present evidence, witness testimony, and written statements
- The Board or hearing committee will make a decision based on the evidence presented

## **6.4 Hearing Committee Composition**

If the Board appoints a hearing committee, it shall consist of:

- Three (3) homeowners in good standing who are not Board members
- Members with no personal interest or bias in the matter
- At least one member with knowledge of the governing documents

## **6.5 Hearing Decision**

- Decisions will be rendered in writing within 10 business days of the hearing
  - Decisions will include findings of fact and the basis for the determination
  - The Board may uphold, modify, or dismiss the violation and any associated fines
  - Decisions are final unless appealed to the full Board (if heard by committee)
  - Homeowners will be notified of their right to pursue alternative dispute resolution or legal action
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# **7. Appeals Process**

## **7.1 Appeal Rights**

Homeowners may appeal hearing decisions under the following circumstances:

- Decision was made by a hearing committee (appeal to full Board)
- New evidence has become available that was not available at the time of the hearing
- Procedural errors significantly affected the outcome
- Decision was arbitrary, capricious, or not supported by evidence

## **7.2 Appeal Procedure**

- Appeals must be submitted in writing within 14 days of receiving the hearing decision
- Appeals must state the specific grounds for appeal and include supporting documentation
- The Board will review the appeal at its next regular meeting
- Appellants may request to appear before the Board to present their appeal
- The Board's decision on appeal is final for Association purposes

## **7.3 Alternative Dispute Resolution**

Homeowners who disagree with final Board decisions may pursue:

- Mediation through a neutral third party
- Arbitration if agreed to by both parties
- Legal action in Kansas courts as a last resort

The Association encourages informal resolution and mediation before pursuing litigation.

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# **8. Special Provisions**

## **8.1 Emergency Violations**

For violations creating imminent danger to persons or property, the Association may:

- Take immediate corrective action without prior notice
- Assess costs to the homeowner's account
- Provide notice and hearing rights after the fact
- Seek reimbursement for emergency expenses

## **8.2 Parking Towing for Repeated Violations**

For non-emergency parking violations, the Association will generally use the progressive enforcement process in Section 4 before towing. If a vehicle or the Owner associated with that vehicle receives two (2) prior written parking violation notices within a rolling twelve (12) month period, any subsequent parking violation may result in towing at the vehicle owner's expense, provided required notice has been given and applicable signage or other legal requirements have been satisfied. Vehicles blocking emergency access, driveways, or otherwise creating an immediate safety hazard may be towed immediately without prior warning. Owners remain entitled to notice and hearing rights under Section 6 with respect to any related violation, fine, or charge.

## 8.3 Self-Correction

If a homeowner corrects a violation before receiving a Second Notice, the Association may:

- Waive fines for first-time Category A violations
- Reduce fines for Category B violations
- Close the violation file without further action

Self-correction must be verified by inspection before the case is closed.

## 8.4 Hardship Considerations

Homeowners may request consideration for extenuating circumstances, including:

- Medical emergencies or hospitalizations
- Financial hardship preventing timely compliance
- Natural disasters or events beyond the homeowner's control
- Delays caused by contractors or third parties despite good faith efforts

Hardship requests must be submitted in writing with supporting documentation. The Board has discretion to extend cure periods, reduce fines, or establish payment plans.

## 8.5 Tenant Violations

For rental properties, violations by tenants are the responsibility of the homeowner. The Association will:

- Notify both the homeowner and tenant of violations
- Hold the homeowner responsible for fines and corrective action
- Require homeowners to include lease provisions enforcing Association rules
- Recommend homeowner remedies against non-compliant tenants

## 8.6 Consistent Enforcement

The Association commits to enforcing all rules uniformly and consistently. Selective enforcement will be avoided. However:

- The Board retains discretion to address unique circumstances
  - Prior non-enforcement does not waive the right to future enforcement
  - The Board may prioritize enforcement based on severity and community impact
  - Education and voluntary compliance are preferred over punitive measures when appropriate
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## **9. Education and Communication**

### **9.1 Homeowner Education**

The Association will promote awareness and understanding of community rules through:

- Annual distribution of governing documents and rule summaries
- New homeowner orientation packets
- Community meetings to discuss rules and answer questions
- Updates on eNeighbors

### **9.2 Transparency**

To maintain transparency in enforcement:

- This policy will be published on eNeighbors and made available upon request
  - Aggregate violation statistics will be reported annually (without identifying specific homeowners)
  - Homeowners may review the Association's enforcement records (subject to confidentiality requirements)
  - Board meeting minutes will reflect enforcement actions taken
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## **10. Records and Documentation**

### **10.1 Record Retention**

The Board Secretary will maintain comprehensive records of all enforcement actions, including:

- Copies of all violation notices sent
- Documentation of violations (photographs, inspection reports, complaints)
- Correspondence with homeowners
- Hearing requests, proceedings, and decisions
- Payment records for fines and assessments
- Legal actions and court filings

Records will be retained for at least seven (7) years in accordance with Kansas law and best practices.

## **10.2 Confidentiality**

Enforcement records are confidential and will only be disclosed:

- To the homeowner whose property is subject to enforcement
  - To the Board and authorized management personnel
  - As required by law or court order
  - To the Association's legal counsel
  - In aggregate form without identifying information (for reporting purposes)
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# **11. Policy Review and Amendment**

## **11.1 Policy Review**

The Board will review this policy periodically to ensure:

- Compliance with current Kansas laws and regulations
- Effectiveness in achieving enforcement goals
- Fairness and reasonableness of procedures and fine schedules
- Consistency with best practices and legal developments

## **11.2 Amendment Process**

This policy may be amended by a majority vote of the Board at any properly noticed Board meeting. Material changes will be:

- Communicated to all homeowners at least 21 days before implementation
- Posted on eNeighbors
- Made available for homeowner comment before adoption
- Reviewed by legal counsel to ensure compliance with governing documents and Kansas law

## **11.3 Legal Compliance**

This policy is subject to the Association's Declaration, Bylaws, Articles of Incorporation, and applicable Kansas state law. In the event of any conflict, the governing documents and Kansas law shall prevail.

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## **12. Adoption and Effective Date**

This Rules Enforcement Policy was adopted by the Board of Directors of Cottages at Woodridge Homeowners Association on May 20, 2026.

**Effective Date:** May 20, 2026

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## **Reference**

[1] Kansas Legislative Research Department. (2026, February 26). The Kansas Uniform Common Interest Owners Bill of Rights Act and Homeowners Associations. <https://klrd.gov/2026/02/26/the-kansas-uniform-common-interest-owners-bill-of-rights-act-and-homeowners-associations/>