

## **VIII. Appeals Procedure – Covenant Violations & ARC Decisions**

### **Introduction**

Any resident wishing to appeal a denied modification or covenant violation notice has the right to appear (or to submit a written appeal) before the Covenant Appeals Committee (CAC), appointed by the Legacy Park Board to hear appeals.

### **Membership of the Covenant Appeals Committee (CAC)**

The CAC is made up of a Chairperson and volunteers drawn from Legacy Park residents. Appeals meetings require a quorum of at least three members. A representative from the HOA office will also attend each meeting.

### **Submitting an Appeal**

Residents have ten (10) days after the receipt of the violation notice or ARC decision to submit a written request, through the HOA Office, to have the appeal heard. Ordinarily, no appeal will go to the Board of Directors without initially being heard by the CAC.

The CAC will meet to consider appeals – whether in person or in writing – on the first Tuesday of every month (unless otherwise notified), between 7:00 pm and 8:00pm in the Clubhouse.

In exceptional circumstances, the CAC may decide that the issue being appealed is best handled by the Board itself. The HOA Office will advise the appellant accordingly.

### **The Appeals Hearing**

Appeals may be made in person or in writing. The time for an in-person appeal will be limited to 10 minutes. Residents are encouraged to submit any material such as pictures, diagrams, receipts etc. to support their appeal.

### **Notifying the CAC's decision**

The CAC will not give its decision at the time of the appeal. All decisions will be available the next business day through the HOA office, confirmed in writing within ten (10) business days.

### **Further appeal to the Legacy Park Board of Directors**

Once advised of the CAC decision the resident may decide to appeal that decision to the Board of Directors.

If not satisfied with the CAC decision, the resident will have ten (10) days after the receipt of the CAC decision to make a written request, through the HOA Office, to have the appeal heard by the Board. The appeal, which may be in person or in writing, will be considered at a scheduled monthly Board of Directors meeting. The Board will not make its decision known at the time of hearing the appeal. All decisions will be available the next business day through the HOA Office, confirmed in writing within ten (10) business days.

For additional questions or for further clarification concerning the appeals process, please contact the Legacy Park HOA office at 770-919-2556.