

The Essentials of Due Process

Inevitably, from time to time, community rules are broken. When this happens, the association informs residents about the problem and follows what is known as due process procedure.

Simply stated, this means that the association always notifies residents of alleged violations before taking any action. We send written notice describing the possible rule violation and ask the residents to correct the problem voluntarily by a specific date. These notices also explain any action the association may take if the violation isn't corrected.

The association understands that things aren't always as they seem. So, any time we send notices to residents, the board wants to hear the resident's point of view. We can arrange for residents to meet with the board before imposing any type of penalty. In fact, imposing penalties isn't the goal at all! It's more important that residents comply with the association rules for the good of everyone in the community. These meetings give residents and the board an opportunity to discuss rule violations informally and arrive at a solution.

After they've had a chance to talk to a resident about a rule violation, board members will discuss the situation among themselves and make a decision. Residents generally receive the board's decision in writing in about 10 business days. For those who may disagree with the decision, the association has an appeal process.