

**JACKSON SCHOOL
HOMEOWNERS ASSOCIATION**

LANDSCAPE REMEDIATION POLICY

CC&R Article VIII, Section 8.1.1; Article V, Section 5.1 (e); Article X, Section 10.2 (a)

1. Policy

- 1.1. It is the policy of the Jackson School Homeowners' Association (JSHOA) to help maximize home values for the benefit of all members of the neighborhood. The visual appeal of a community is one important component of neighborhood value. Curb appeal is the first impression a visitor has of a neighborhood. The particular style of landscaping is less important to curb appeal than the maintenance of the landscape once installed. It is not the intent of the JSHOA to regulate the style of an owner's landscaping design. It is their intent to enforce fidelity to the Protective Covenants, Conditions and Restrictions of Jackson School (CC & R's) as an important tool in maintaining neighborhood value.
- 1.2. The owner of a unit is entitled to the exclusive use and benefit of such unity but is bound to comply with the CC & R's in the maintenance of the owner's landscape. It is the owner's responsibility to maintain the landscape of a unit by keeping plant material trimmed on a regular basis, removing weeds to a reasonable degree, keeping dirt and mulch off of walkways, etc. If an owner allows the unit's landscape to become so unkempt that it becomes a nuisance as defined in the CC & R's, the JSHOA may take the following action to remediate the nuisance.

2. Nuisance. A landscape may be declared a nuisance:

- 2.1. If an owner has not performed maintenance of the landscape of the unit for at least one month; or
- 2.2. Because of neglect, the owner has caused the landscape of the unit to become so unkempt as to be an eyesore.

3. Declaration. If a unit is believed to be in one of the two conditions set forth in Section 2 above:

- 3.1. Any member may present to the JSHOA Board a resolution declaring that the unit has become a nuisance.

- 3.2. If a majority of the Board members pass the resolution then the unit may become subject to remediation.

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4. **Remediation**

- 4.1. The Board shall cause a notice letter to be delivered to the owner by first class mail giving notice of the Board's decision.
- 4.2. The notice letter shall state the nature of the nuisance; give the owner 15 days to remediate the problem, and the option for the owner to contact the Board with the reason for the problem.
- 4.3. The Board has the option to extend the time period in which the owner may remediate the nuisance.
- 4.4. If the owner does not remediate the nuisance to the satisfaction of the Board, the Board has the option to enter or cause others to enter the property of the owner to remediate the nuisance.
- 4.5. The remediation must be minimum amount needed to correct the nuisance. The remediation is not intended to change the design of the existing landscape, only to make it look well kept.
- 4.6. The Board may charge the owner the reasonable cost for remediation and may use any enforcement mechanism allowed under the CC & R's to enforce this policy.