

BAYTREE COMMUNITY ASSOCIATION POLICIES AND PROCEDURES

SUBJECT: Lawn maintenance for abandoned homes due to foreclosures

POLICY #: 2008-1

BACKGROUND: Currently, there are 4 homes that are in foreclosure and abandoned by the homeowner. The foreclosures are not complete and the bank has not assumed ownership. The BCA's property manager continues to try and contact the owners and/ or the bank to maintain the property. The property has become overgrown and an eyesore to the community. The appearance of the lot has become a detriment to the value of other homes in the neighborhood. Additionally, there is potential for unwanted wildlife to begin nesting or populating in these areas, potentially migrating to nearby homes.

REFERENCES: The declarations provide the BCA the right to enter a lot and take corrective actions on a property. In addition, the declarations allow the BCA to assess the cost to the community if it cannot be covered within the budget. The BCA's attorney was consulted to assess the risk. His recommendation to minimize the risk is to avoid confrontation and enter the property only when the home is vacant. Also to verify that the lawn specialist hired has the appropriate insurance.

PURPOSE: Maintain the appearance of vacant and abandoned lots due to foreclosures until the original owner, bank, new owner, or other responsible parties legally take over ownership of the property. At this point all expended amounts by the BCA should be billed and collected from the new owners. If an agreement cannot be reached, the BCA has the ability to use Due Process procedures depending on the merit of each individual situation. This policy does not provide for the repayment of expenses of neighbors that have acted on their own in past situations. However, the BCA and Property Manager will try to help collect their expenses from the Banks or other entities as allowed by Law for past expenses.

PROCEDURE: Residents must notify the BCA or Property Manager that a home is not being maintained and if the home is vacant. The Property Manager will verify the details of each situation and contact the appropriate owner(s) to maintain their property. If these attempts are unsuccessful and the lot is vacant and abandoned, the Property Manager will hire a Lawn Care Specialist to maintain the lot to a minimum standard. All bills should be saved and submitted to the new owner or bank when the legal process is complete and ownership determined. If the BCA cannot collect the funds from the new owners and the expense exceeds BCA budgets an assessment to the community will be made to cover the existing and projected future costs.

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Baytree Community Association
As authorized by the Board of Directors
Signed: 2008