

Deercroft Adjudicatory Panel Policy Summary Statement

Originally drafted September 01, 2007/ Amended January 13, 2020

(For further information see Declaration of Restrictive Covenants – Deercroft Subdivision)

The function of the AP Committee is to receive, investigate, and adjudicate reported violations of the Deercroft Homeowners Association Declaration of Restrictive Covenants, By-Laws, and Rules and Regulations of the Association. The complete documents are posted on the Deercroft website. www.deercrofthoa.org

NUISANCE COMPLAINTS:

These issues are normally clear violations of a covenant or rule/regulation that do not lend themselves to investigation or mediation; they just need to be corrected by the property owner without AP intervention. Your attention to such issues would be greatly appreciated, they include:

- **Trash Cans left at the curb or stored in the public view** – *Please do not leave trash cans at the curb for more than 24 hours. Those left curbside for several days are unsightly, impede the mowing contractors, and often are overturned onto the street. The cans must be stored in an area not visible from the street, golf course or public walkway. Manufactured screens or enclosures are available but must be approved by the Architectural Control Committee.*
- **Dogs Running Loose and Barking Dogs** – *Household pets are not permitted off the owner's property unless leashed. Additionally, incessant barking of pets that is objectionable to any neighbor is a clear violation of our covenants. Failure to correct such activity by the pet owner constitutes a disregard for the peace and tranquility of the community and is actionable by the AP. Pet owners should take appropriate action to ensure that their pets do not disturb the community; "bark collars" which employ the same technology as the "invisible fence" are an effective remedy for dogs that bark excessively; keeping dogs in the house, especially at night, is another.*
- **Propane Tanks** – *Above-ground propane tanks should be shielded from the public view by natural or manufactured screening. Please remember that all enclosures must be approved by the Architectural Control Committee.*

SAFETY/SECURITY /LIABILITY ISSUES:

Certain violations of the Covenants constitute a threat to the safety and security of our residents, and they expose the Association, and potentially every member, to enormous liability issues. These violations do not merit mediation and when the identity of the offender is established, the AP will automatically assess a fine of \$100 per occurrence.

SAFETY/SECURITY /LIABILITY ISSUES (cont.):

This fine will be levied as a “special individual assessment” against the lot or improved lot of the offending property owner when he, a member of his family or his guests are identified as committing the violation. ***The specific violations that are subject to this policy, which is effective immediately, are identified below:***

- A. *Operation on the streets or common property belonging to the Association of any gasoline powered vehicle that is not licensed, inspected, insured and wholly suitable to be legally operated on the North Carolina highway system; and/or, B.*

Operation of a “legal” vehicle by an unlicensed operator.

Exceptions- The following vehicles and their operators are exempt from the foregoing provision:

1. Electric golf carts owned by members of the Association or the Golf Course.
 2. Vehicles that are in full compliance with the North Carolina “moped” law which specifies a minimum operator age of 16 years; a muffled motor not exceeding 50 cubic centimeter displacement; and, a 30 MPH maximum speed capability.
- C. Operation of a gasoline powered vehicle on the dam.
- D. Operation of a gasoline powered boat/watercraft on Lake Johnston or any feeder lake, pond or other body of water within the community.
- E. Unreported or intentional damage of the community security gate.

WHY ARE SUCH STEPS NECESSARY: Deercroft is a private community that is not assisted by any outside agency in its efforts to protect the value of every property owner’s investment and to provide for a tranquil and enjoyable area in which to reside. The Sandhills is replete with examples of communities unable to provide such benefits for its residents. The result is both tragic and predictable: run down properties; dilapidated outbuildings; long abandoned kiddie pools and children’s swing sets; discarded lawn mowers; boats, trailers and abandoned cars parked in residential yards; ATV’s, dirt bikes and go carts speeding through neighborhoods. The list is endless, and the result is devalued property and an unsatisfactory and unsafe environment in which to raise a family.

ROLE OF AP: The AP exists to ensure compliance with the Covenants and By-Laws established by our Association and the Rules and Regulations adopted by our Board of Directors. ***The AP is not empowered to initiate any investigation without a written request from a member of the Association.*** Accordingly, the degree of compliance with the rules that govern our Association and our community is dependent upon the active involvement of every member of the Association.