



DCR Violation Notice Process Explained

This HOA website article attempts to explain the full BHCA DCR Enforcement notice process in an easy-to-understand manner. This information in no way replaces or overrides the DCR. It is intended to help Brook Hollow property owners understand the HOA's process to maintain at least minimal compliance according to the DCR .

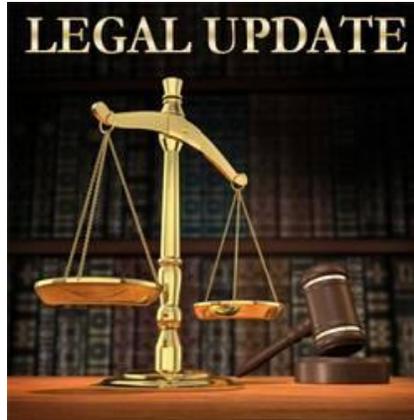
The primary reasons for a Homeowner's Association (HOA) are to keep up property values and foster a pleasant place to live. This is especially true for Brook Hollow Community Association (BHCA). The Declaration of Covenants and Restrictions (DCR) is our set of basic rules that helps BHCA in its legal responsibility to protect property values. The DCR is legally enforceable. BHCA is very careful to be equitable, professional, timely, and accurate in its DCR enforcement. Members of the Architectural Review Committee (ARC) are members of the BOD. They volunteer to help assure that changes to Brook Hollow (BH) properties are appropriate and will be DCR compliant. Homeowners are required to obtain ARC approval on a property changing project before starting the project. Otherwise, a homeowner risks the expense of having the property returned to the pre-change condition. An [ARC Change Request Form](#) is available on the public side of the BHCA website, under the listings of the "LINKS-BHCA" and "RULES" pages.

Unfortunately, for some homeowners, there seems to be some serious misunderstanding regarding DCR enforcement. BHCA's agent for DCR violation inspections and the sending of related letters is A&M Management Partners (A&M). At times, A&M communications have been misinterpreted by some property owners as harassments rather than alerts. HOA representatives, both A&M and BOD volunteers, have been subject to rude comments and even addressed with profanities from homeowners. The following is an attempt to prevent future misunderstandings and reach a common understanding of the process:

- The simple fact is that most initial alerts of a violation are quickly, easily, and inexpensively resolved by the notified homeowner. Resolution of long unresolved violations require more time, work, and money. **A violation letter is not intended as a declaration of war – it is just an alert with request for corrective action of an observed DCR violation.**
- Long unresolved violations at other properties do not equate to immunity for a new violation of the same issue at another property. BHCA respects the privacy of its members. The HOA does not publish a list of violation properties and respective violations within the timeline of legal escalation. The HOA is careful to take appropriate actions, at a reasonable rate with careful documentation.

BHCA DCR_Enforcement_Notice_Process_Updated

- All properties are evaluated to meet the **same minimal level** needed for DCR compliance. If they do not meet that minimal level, they are considered to be in a violation status for the specific DCR standard.
- BOD / ARC / A&M individuals representing BHCA are all humans. **Humans can, and do, make mistakes at times.** If you feel that a violation alert is inappropriate, or if you are perplexed as to how the violation could best be resolved, please contact A&M or a BOD member. Mistakes cannot be addressed if not conveyed. BHCA cannot consider, and in many cases approve, homeowner requests for special temporary considerations if they are not conveyed. The HOA has a cooperative history of working with individuals. The BHCA BOD even added to the DCR enforcement process the ability for A&M to extend timelines and resolution expectations **when circumstances are deemed justifiable.** That extension is considered to be “**TARP**” – a “**Temporary Agreement Recovery Plan.**” Establishment of a TARP results in a temporary suspension of legal effort escalation regarding the respective DCR violation. At the May 2025 BOD Meeting, the TARP concept was established by the BHCA Board of Directors (BOD) as a last chance option for BHCA homeowners to return to DCR compliance and avoid the cost of legal escalation. Like a blue tarp on a Florida roof after a hurricane, a TARP is only to be a temporary solution. If the specific actions of the TARP, as established by, and to be monitored by, A & M, are not met by the homeowner, the TARP will be ended by A & M with the DCR violation then being escalated to legal enforcement.
- When the HOA invests funds in legal escalation, whether for DCR violations or delinquent annual assessments, every reasonable effort is made to recoup those funds from the homeowner. Such recovered funds are then deposited into the operating budget of the year recovered. The HOA budget maintains sufficient funds to handle prepayment to its law firm to absorb the time period prior to likely eventual reimbursement from the law firm following case closure.
- Owners living remote from Brook Hollow, relying on a neighbor, or paying a vendor to resolve existing DCR violations and/or prevent new or repeated violations cannot hold the HOA responsible for managing the quality of work done. Violations and violation resolutions are based on on-site observations of the property, not vendor receipts, invoices, or work summarizations generated by vendors.
- Owners living remote from Brook Hollow cannot get an extension of time from violation resolution just because they live remote. Neighbors of a Brook Hollow property should not have to await timely violation resolution and suffer negative impact to property value just because the owner of the nearby Brook Hollow property lives remote.
- Owners are responsible for the condition of their Brook Hollow property regardless of whether that property is unoccupied, occupied by the owner, or occupied by a renter.
- Submitting an ARC Change Request and awaiting the ARC approval prevents property change investments that might otherwise have to be reversed **at the owner’s expense.** Once again, ARC Change Request Forms available on the public side of the BHCA website, under the listings of the “LINKS-BHCA” and “RULES” pages.



So, what is the HOA doing about unresolved DCR violations?

For all our community’s 35+ years, the deed restrictions of Brook Hollow’s DCR have essentially remained the same. Regardless of when a Brook Hollow home was purchased, at that time of sale, the new owner then agreed to abide by those same rules. Fortunately, most BH homeowners appreciate the value of our DCR through its required enforcement. They see the value of well-kept properties and rising median home selling prices.

Inspections and notices follow a two-month interval. Notices are professional and polite. Essentially, if an initial notice of violation is met with resolution of violation as determined at re-inspection at two months or sooner following the initial violation, A&M sends the owner a “Thank You” notice. If, after two months, the violation is determined by A&M as not yet resolved, the notice then sent by A&M escalates one level in emphasis of request. This flow repeats until a final letter is sent and the unresolved violation is then forwarded to the BHCA BOD to consider legal escalation as the next step. When an unresolved violation is sent to the attorney, the HOA is no longer the point of contact regarding that issue. BHCA’s property management agent, A&M, and its legal firm, A&B, handle communications of the issue until it is resolved. Once HOA attorney fees and legal costs begin to accrue, such are billed to the owner in violation until the issue is resolved. Periodically, a lack of DCR violation resolution eventually leads to legal escalation for enforcement. **Sustained violations can impact the ability to sell the property.**



A&M DCR Violation Resolution Request Notice Series

In summary, the letters follow a simple, logical, business-based, legally sound approach that works.

It is important to understand that measures of compliance have not become stricter. When more properties reach the end of the A&M DCR violation letter series without resolution, BHCA invests more in legal fees to protect the values of Brook Hollow properties. BHCA, by its agent, A&M, is careful to document DCR enforcement communications since it is that documentation that may be referenced if a violation escalates to mediation in the court system.

Nobody wants to police their neighbors. To evaluate DCR violations properly requires a significant work effort and professionalism. To convey observations of violations can be stressful and to any who have been so involved, the experience less than fun. After many years of doing this internally, BHCA decided that this necessary effort would best be handled by a professional property management company familiar with the latest legalities and logistics involved. **That is why BHCA pays A&M to provide DCR Enforcement services for the HOA rather than have Brook Hollow volunteer residents have to confront their neighbors regarding violations.**

Nobody wants to get a DCR violation notice from A&M. Yet, at one time or another, we may all at least get a “first notice.” Such are written as a friendly alert that one or more DCR factors are at a point where they need the homeowner’s corrective action. For most folks, the first notice is followed by a “Thank You” notice from A&M - acknowledging to the homeowner that the violation has later been recognized as resolved. When there is no resolution after the first notice, second letters are sent as follow-ups to the first notice, notifying the homeowner that a couple of months have gone by since the violation was first noted, but the violation remains after the property was re-inspected. The third or “Final” notice in the A&M DCR violation series is sent when four months have gone by since the inspection that spawned the first letter and yet the violation remains unresolved.

In cases when the inspection that follows the “Final” letter also determines that the issue remains unresolved, that violation is then considered as having been “**sent to the BOD**” for consideration of legal escalation which begins with a **demand for mediation letter**. The BOD periodically reviews all outstanding violations then in the “**sent to the BOD**” queue and recommends that one or more property violations be sent to the HOA attorney.



Who Pays the Legal Costs Associated with DCR Enforcement?

If the case goes to mediation and the violation is so determined by the court authority as being valid, all associated legal costs are billed to the homeowner. At this time, the HOA may also take corrective actions to have vendors resolve the violation, with costs of such being additionally billed to the homeowner.

[BHCA DCR_Enforcement_Notice_Process_Updated](#)

When the legal costs begin, the HOA pays the attorney. The attorney provides the legal work. The legal fees accrue to attorney's account for the homeowner. **The attorney becomes the fiscal priority point for any amounts paid to the HOA by the homeowner.** Regardless of whether funds are directly collected by the HOA or indirectly collected by A&M for the HOA, the collected funds are **first applied** to the attorney's account for the homeowner, decreasing the balance until that account is fully paid. At that time, any remaining homeowner-paid funds are routed through A&M to the homeowner's HOA account. Delinquent annual assessments are handled in a parallel manner with regard to the HOA's attorney establishing a homeowner-specific account to accrue delinquent amounts, interest charged, and other associated fees.

Regardless of what causes the HOA attorney to have an account on a homeowner of BHCA, if after a reasonable amount of time, the attorney's account for the homeowner remains outstanding, the HOA attorney can file a lien on the respective home. Though only used as a last resort in extreme cases, a next step is the filing for a foreclosure sale on a home as means to collect the lien. This is the only known pragmatic means for the HOA to recoup some or all the funds then due to the HOA from the homeowner.

*Of course, for those who just don't choose to address the maintenance responsibilities that are a reality of living in a deed restricted community, and/or for those who just do not like the rules associated with an HOA, they always have the option to sell and relocate where there is no HOA. Brook Hollow homes are selling at all-time high prices and if living in an HOA community is not a good fit, there is likely someone who seeks the HOA managed environment and is ready to buy the Brook Hollow home, potentially providing the owner wanting to leave with a profit. For BHCA contact information of BOD, ARC, or A&M, please see the respective links on the public side of the BHCA website, under the listing of the the BHCA website "**CONTACTS**" page.*

[Samples of the Notices Used in DCR Enforcement Follow on Individual Pages](#)

BHCA DCR Enforcement Notice Samples - **Notice_01 (page 1)**

BROOK HOLLOW COMMUNITY ASSOCIATION
C/O A & M MANAGEMENT PARTNERS COMPANY PO BOX 500377

MALABAR, FL 32950

alangAMmgmt@gmail.com

FRIENDLY NOTICE

September 15, 2025

«Bill_to_1»

«Bill_to_2»

«Bill_to_3»

Re: «Ship» «to_2»

A & M Management conducted an inspection of Brook Hollow properties on March 29, 2024. If you have corrected the referenced violation(s) since then, please disregard this notice.

Dear New_First Name:

This is a friendly notice to advise you that your property is not in compliance with the Declaration of Covenants and Restrictions (DCR) of Brook Hollow Community Association (BHCA). The out-of-compliance condition was observed on March 29, 2024. If the violation has since been resolved, thank you, and please disregard this notice.

If the out-of-compliance condition has not yet been corrected, please bring your property into compliance by addressing the following:

«DCR_1»

«Observation__1» «Violation_1»

«DCR_2»

«Observation_2»

- «Violation_2»

BHCA DCR Enforcement Notice Samples - Notice_01 (page 2)

If your violation involves any exterior changes to your home (for example, painting of home, removal of a tree, replacement of roof, etc.) an ARC Change Request Form must be submitted to, and approved by, the BHCA Architectural Review Committee (ARC) prior to the commencement of that change. The ARC Change Request Form is available by a link on the “Links” page of the BHCA website: www.brookhollowmalabar.org.

Regardless of cause of DCR violation, it is recommended that you communicate to Alan Guthrie, Property Manager of A & M. A & M Management Partners Company (A & M) is BHCA’s authorized agent for DCR Enforcement. Please provide your plan to resolve the violation, in writing, including the estimated completion date, sending to the email address or mailing address appearing at the top of this notice.

The primary purpose of a Homeowners Association (HOA) is to protect the quality of life of a neighborhood. HOAs do this by managing and maintaining the common areas of a community and enforcing rules to keep the neighborhood appealing and property values high. It is not the desire of the Board of Directors (BOD) to impose any hardships on any individual owner; however, the BOD has a fiduciary responsibility to ensure that the Governing Documents of the Association are followed.

Most violations are unintentional and easily resolved. A prompt and positive response in correcting this violation will prevent the need for further action by BHCA. Please address this matter in a timely manner. If you have any questions, and/or if there are any circumstances that may delay the correction of this DCR violation, please contact Alan Guthrie, Property Manager for BHCA, in writing.

Your cooperation in this matter will be greatly appreciated.

Regards,

Alan Guthrie

A & M Management

** This “Notice_01” is the first in a possible documentation series record of four BHCA DCR Violation Notices sent by A & M. This notice could be referenced in the event of eventual legal escalation that would occur if referenced violation(s) are not resolved in a timely manner. When the violation has been deemed to be resolved, a “Thank You” notice (“Notice_TY”) will be sent to you to convey resolution of the violation(s). Also then conveyed would be that the DCR Violation Notice series has been reset to a status of “zero,” meaning DCR compliance for the issue(s).*

BHCA DCR Enforcement Notice Samples - Notice_02 (page 1)

BROOK HOLLOW COMMUNITY ASSOCIATION
C/O A & M MANAGEMENT PARTNERS COMPANY PO BOX 500377
MALABAR, FL 32950
alangAMmgmt@gmail.com

SECOND NOTICE

September 15, 2025

«Bill_to_1»

«Bill_to_2»

«Bill_to_3»

Re: «Ship» «to_2»

A & M Management conducted an inspection of Brook Hollow properties on March 29, 2024. If you have corrected the referenced violation(s) since then, please disregard this notice.

Dear New_First Name:

During a recent inspection of the community on March 29, 2024, the following violation(s) continued to be observed at your property. Unfortunately, this matter has not been resolved since our prior notice.

Please bring your property into compliance with the Declaration of Covenants and Restrictions (DCR) of Brook Hollow Community Association (BHCA) by addressing the following:

«DCR_1»

«Observation__1» «Violation_1»

«DCR_2»

«Observation_2»

- «Violation_2»

If your violation involves any exterior changes to your home (for example, painting of home, removal of a tree, replacement of roof, etc.) an ARC Change Request Form must be submitted to, and approved by, the BHCA Architectural Review Committee (ARC) prior to the commencement of that

BHCA DCR Enforcement Notice Samples - Notice_02 (page 2)

change. The Change Request Form is available by a link on the “Links” page of the BHCA website: www.brookhollowmalabar.org.

Regardless of the cause of DCR violation, it is recommended that you communicate to Alan Guthrie, Property Manager of A & M. A & M Management Partners Company (A & M) is BHCA’s authorized agent for DCR Enforcement. Please provide your plan to resolve the violation, in writing, including the estimated completion date, sending to the email address or mailing address appearing at the top of this notice.

The primary purpose of a Homeowners Association (HOA) is to protect the quality of life of a neighborhood. HOAs do this by managing and maintaining the common areas of a community and enforcing rules to keep the neighborhood appealing and property values high. It is not the desire of the Board of Directors (BOD) to impose any hardships on any individual owner; however, the BOD has a fiduciary responsibility to ensure that the Governing Documents of the Association are followed.

Most violations are unintentional and easily resolved. A prompt and positive response in correcting this violation will prevent the need for further action by BHCA. Please address this matter in a timely manner. If you have any questions, and/or if there are any circumstances that may delay the correction of this DCR violation, please contact Alan Guthrie, Property Manager for BHCA, in writing.

Your immediate cooperation in this matter will be greatly appreciated.

Regards,

Alan Guthrie

A & M Management

**This “Notice_02” is the second in a possible documentation series record of four BHCA DCR Violation Notices sent by A & M. This notice could be referenced in the event of eventual legal escalation that would occur if referenced violation(s) are not resolved in a timely manner. When the violation has been deemed to be resolved, a “Thank You” notice (“Notice_TY”) will be sent to you to convey resolution of the violation(s). Also then conveyed would be that and that the DCR Violation Notice series has been reset to a status of “zero,” meaning DCR compliance for the issue(s)*

BHCA DCR Enforcement Notice Samples - [Notice_03 \(page 1\)](#)

BROOK HOLLOW COMMUNITY ASSOCIATION
C/O A & M MANAGEMENT PARTNERS COMPANY PO BOX 500377
MALABAR, FL 32950
alangAMmgmt@gmail.com

FINAL NOTICE

September 15, 2025

«Bill_to_1»

«Bill_to_2»

«Bill_to_3»

Re: «Ship» «to_2»

A&M Management conducted an inspection of Brook Hollow properties on March 29, 2024. If you have corrected the referenced violation(s) since then, please disregard this notice.

Dear New_First Name:

During a recent inspection of the community on March 29, 2024, the following violation(s) continued to be observed at your property. Unfortunately, this matter has not been resolved since our prior notice.

Please bring your property into compliance with the Declaration of Covenants and Restrictions (DCR) of Brook Hollow Community Association (BHCA) by addressing the following:

«DCR_1»

«Observation__1» «Violation_1»

«DCR_2»

«Observation_2»

«Violation_2»

If your violation involves any exterior changes to your home (for example, painting of home, removal of a tree, replacement of roof, etc.) an ARC Change Request Form must be submitted to, and approved by, the BHCA Architectural Review Committee (ARC) prior to the commencement of that change. The Change Request Form is available by a link on the “Links” page of the BHCA website: www.brookhollowmalabar.org.

BHCA DCR Enforcement Notice Samples - Notice_03 (page 2)

Regardless of the cause of DCR violation, it is recommended that you communicate to Alan Guthrie, Property Manager of A & M. A & M Management Partners Company (A & M) is BHCA's authorized agent for DCR Enforcement. Please provide your plan to resolve the violation, in writing, including the estimated completion date, sending to the email address or mailing address appearing at the top of this notice.

Please consider this your Final Notice from A & M prior to this DCR Violation issue being returned to the Board of Directors (BOD) and then to be considered pending BOD approval to go to the BHCA attorney for legal escalation. The primary purpose of a Homeowners Association (HOA) is to protect the quality of life of a neighborhood. HOAs do this by managing and maintaining the common areas of a community and enforcing rules to keep the neighborhood appealing and property values high. It is not the desire of the Board of Directors (BOD) to impose any hardships on any individual owner; however, the BOD has a fiduciary responsibility to ensure that the Governing Documents of the Association are followed.

IMPORTANT OPTION ... If you make timely contact in writing to Alan Guthrie, Property Manager for BHCA, at the email address or mailing address appearing at the top of this notice, you may be able to prevent legal escalation of the violation(s) via a "TARP." A TARP is a Temporary Agreement Recovery Plan. The TARP concept was established by the BHCA BOD as a last chance option for BHCA homeowners to return to DCR compliance and avoid the cost of legal escalation. Like a blue tarp on a Florida roof after a hurricane, a TARP is only a temporary solution. If the specific actions of the TARP, as required by A & M, are not met by the homeowner, the TARP will be ended by A & M with the DCR violation then being escalated to legal enforcement.

If there is no significant improvement, or if the association's DCR Enforcement Property Manager is not contacted in writing within 7 days of receipt of this notice with a valid reason that compliance cannot be met, the BHCA BOD has authorized A & M to turn the matter over to the association's attorney. Pursuant to statutes, the Association may be entitled to recover from the homeowner any and all legal fees and costs incurred in connection with efforts to correct DCR violations.

Your anticipated cooperation is greatly appreciated.

Regards,

Alan Guthrie

A & M Management

*This "Notice_03_Final" is the third in a possible documentation series record of four BHCA DCR Violation notices sent by A & M. This notice could be referenced in the event of eventual legal escalation that would occur if referenced violation(s) are not resolved in a timely manner. When the violation has been deemed to be resolved, a "Thank You" notice ("Notice_TY") will be sent to you to convey resolution of the violation(s). Also then conveyed would be that the DCR Violation Notice series has been reset to a status of "zero," meaning DCR compliance for the issue(s).

BHCA DCR Enforcement Notice Samples - [Notice_04 \(page 1\)](#)

BROOK HOLLOW COMMUNITY ASSOCIATION

C/O A & M MANAGEMENT PARTNERS COMPANY PO BOX 500377

MALABAR, FL 32950

alangAMgmt@gmail.com

PENDING LEGAL ACTION NOTICE ([Sent USPS Certified Mail](#))

September 15, 2025

«Bill_to_1»

«Bill_to_2»

«Bill_to_3»

Re: «Ship» «to_2»

A&M Management conducted an inspection of Brook Hollow properties on March 29, 2024. If you have corrected the referenced violation(s) since then, please disregard this notice.

Dear New_First Name:

During a recent inspection of the community on March 29, 2024, the following violation(s) continued to be observed at your property. Most violations can be and are easily resolved. Unfortunately, this matter has not been resolved since our prior three notices. At this point, the BHCA effort for DCR compliance has gone on for at least six months. A lack of further notices will not mean compliance has been reached nor that legal escalation by BHCA has ceased.

Please bring your property into compliance with the Declaration of Covenants and Restrictions (DCR) of Brook Hollow Community Association (BHCA) by addressing the following:

«DCR_1»

«Observation_2»

«Violation_1»

«DCR_2»

«Observation_2»

«Violation_2»

If your violation involves any exterior changes to your home (for example, painting of home, removal of a tree, replacement of roof, etc.) an ARC Change Request Form must be submitted to, and

BHCA DCR Enforcement Notice Samples - Notice_04 (page 2)

approved by, the BHCA Architectural Review Committee (ARC) prior to the commencement of that change. The Change Request Form is available by a link on the "Links" page of the BHCA website: www.brookhollowmalabar.org.

Regardless of the cause of DCR violation, it is recommended that you communicate to Alan Guthrie, Property Manager of A & M. A & M Management Partners Company (A & M) is BHCA's authorized agent for DCR Enforcement. Please provide your plan to resolve the violation, in writing, including the estimated completion date, sending to the email address or mailing address appearing at the top of this notice.

Please consider this your Pending Notice from A & M, now conveying that your unresolved DCR violation has been returned to the BHCA BOD and is now pending BOD approval for legal escalation. The primary purpose of a Homeowners Association (HOA) is to protect the quality of life of a neighborhood. HOAs do this by managing and maintaining the common areas of a community and enforcing rules to keep the neighborhood appealing and property values high. It is not the desire of the Board of Directors (BOD) to impose hardship on any individual owner; however, the BOD has a fiduciary responsibility to ensure that the Governing Documents of the Association are followed.

There May Still Be Time to Avoid the Cost of Legal Escalation ... If you make immediate contact in writing to Alan Guthrie, Property Manager for BHCA, at the email address or mailing address appearing at the top of this notice, you may be able to prevent legal escalation of the violation(s) via a "TARP." A TARP is a Temporary Agreement Recovery Plan. The TARP concept was established by the BHCA BOD as a last chance option for BHCA homeowners to return to DCR compliance and avoid the cost of legal escalation. Like a tarp on a roof after a hurricane, a TARP is only a temporary solution. If the specific

actions of the TARP are not met by the homeowner, the TARP will be ended by A & M with the DCR violation then being escalated to legal enforcement.

Since you were sent Notice_03_Final, there has been no significant improvement regarding your DCR violation(s) and you did not contact the association's DCR Enforcement Property Manager in writing within 7 days of that notice with a valid reason that compliance cannot be met, the BHCA BOD has authorized A & M to turn the matter over to the association's attorney. Pursuant to statutes, the Association may be entitled to recover from the homeowner any and all legal fees and costs incurred in connection with efforts to correct DCR violations.

Your anticipated cooperation is greatly appreciated.

Regards,

Alan Guthrie

A & M Management

BHCA DCR Enforcement Notice Samples - Notice_04 (page 3)

* This "Notice 04_Pending" is the fourth and last in a possible documentation series record of four BHCA DCR Violation Notices, sent by A & M, could be referenced in the event of legal escalation that will likely occur if referenced violation(s) are not resolved immediately. When the violation has been deemed to be resolved, a "Thank You" notice ("Notice_TY") will be sent to you to convey resolution of the violation(s). Also then conveyed would be that and that the DCR Violation Notice series has been reset to a status of "zero," meaning DCR compliance for the issue(s).

BHCA DCR Enforcement Notice Samples - **Notice_05 (page 1)**

FINAL BHCA NOTICE BEFORE DCR VIOLATION IS SENT TO HOA ATTORNEY

September 15, 2025

You are receiving this notice from Brook Hollow Community Association (BHCA) because your property has one or more existing Declaration of Covenants and Restrictions (DCR) violations. These violations persist after you have received four notices from A & M which requested that you correct such violations. A & M Management Partners Company (A & M) is BHCA's authorized agent for DCR enforcement. The series of notices may have stopped after the fourth notice in the established series; however, the violation(s) has/have continued to be observed and documented as unresolved.

The four notices that were sent to you about your violation(s) are summarized as:

Notice 1 – 1st observation of violation (sent regular USPS)

Notice 2 – 2nd observation of same violation, still unresolved (sent regular USPS)

Notice 3 – 3rd observation of same violation, still unresolved (sent regular USPS)

Notice 4 - Final notice at 4th observation of same violation, still unresolved (sent regular USPS & USPS certified mail)

The above notices were sent about two months apart, so violations would have to have existed for about six (6) months at a minimum. A & M has now returned your violation issue(s) to the BHCA Board of Directors (BOD) for the group to consider forwarding for legal escalation. The historical high cost to the homeowner has motivated the BOD to add this fifth notice, a courtesy notice, to inform you of the high cost of getting the HOA attorney involved.

The Brook Hollow Community Association (BHCA) BOD has the responsibility of enforcing the DCR. **This notice is the last effort before we turn the issue over to the HOA attorney.** Once this happens, we have found that the cost to the homeowner starts at about \$1,800.00 for attorney and processing fees. The cost continues going up the longer this process takes. In most cases, this is totally unnecessary as this could easily be avoided by the homeowner.

Please make this notice a priority and contact A&M to work out a plan to come back into DCR compliance and avoid this costly legal escalation step.

Your A&M contact person is **Alan Guthrie**:

Email: alangammgmt@gmail.com

Address: P.O. Box 500377, Malabar, FL 32950-0377

Mobile Phone: 321-543-0610

Within three weeks after receiving this certified mail, if you have not contacted A&M and reached an agreed upon plan to come back into DCR compliance, the BHCA BOD has authorized A & M to turn your DCR violation(s) issue over to the BHCA's attorney to move forward with legal escalation.

BHCA DCR Enforcement Notice Samples - Notice_05 (page 2)

For mutual documentation purposes, it is recommended that you also copy:

Drew Thompson drew.thompson@prosolent.com

Don LaFontaine don.lafontaine.nx@gr.renesas.com

Mary Wathen A&M marywammgmt@gmail.com

Don LaFontaine
VP / Legal

**BHCA DCR Enforcement Notice Samples - TARP (page 1) * Lawn
page 1**

**BROOK HOLLOW COMMUNITY ASSOCIATION
C/O A & M MANAGEMENT PARTNERS COMPANY
PO BOX 500377
MALABAR, FL 32950
alangAMmgmt@gmail.com**

TARP (Temporary Agreement Recovery Plan) Notice

September 15, 2015

«Bill_to_1»
«Bill_to_2»
«Bill_to_3»

Re: «Ship» «to_2»

Dear New_First Name:

It is hereby acknowledged that you have established a **TARP (Temporary Agreement Recovery Plan)** with A & M, the DCR enforcement agent for Brook Hollow Community Association (BHCA). DCR is Declaration of Covenants and Restrictions – the set of common rules to which all Brook Hollow property owners agree to abide at the time of a Brook Hollow purchase. **Establishment of a TARP results in a temporary suspension of legal effort escalation regarding the respective DCR violation.**

The TARP concept was established by the BHCA Board of Directors (BOD) as a last chance option for BHCA homeowners to return to DCR compliance and avoid the cost of legal escalation. Like a blue tarp on a Florida roof after a hurricane, a TARP is only a temporary solution. **If the specific actions of this TARP, as established by, and to be monitored by, A & M, are not met by the homeowner, this TARP will be ended by A & M with the DCR violation then being escalated to legal enforcement.**

A TARP is coordinated through, and managed by, **Alan Guthrie**, the A & M Property Manager for Brook Hollow. For mutual record documentation, TARP related communications should be done in writing. Alan's email address is alangammgmt@gmail.com. If you have any questions about your DCR violation, or the TARP process, you may contact **Alan** or **Drew Thompson**, President, BHCA, and a meeting at your Brook Hollow property can be coordinated. Drew may be reached by email at drew.thompson@prosolent.com. Alan or Drew may each be reached by USPS mail at Brook Hollow Community Association, PO Box 500377, Malabar, FL 32950-0377.

This TARP agreement, between (A & M) and **homeowner email**(homeowners), is that homeowners will continue with progressive efforts to bring their property back into compliance

regarding DCR Article VII , Section 14 - Lawn and Landscaping Maintenance. The subject property, located at [homeowner address](#).

BHCA DCR Enforcement Notice Samples - TARP (page 1) * Lawn page 2

Homeowner agrees that A & M will monitor the property for progress toward DCR violation compliance with understanding that such progress may be dependent on the following specifics.

DCR Violation to be Addressed by this TARP

Lawn areas...

- having numerous types of weeds, and/or a high prevalence of weeds, will be hand-weeded and/or treated with appropriate herbicides
- with little or no grass will have sod, sod plugs and/or seed planted
- will have fertilizer applied at appropriate intervals, amounts, and chemical levels
- will receive regular mowing, and edging – based on growth rates
- with active insect destruction of turf will receive appropriate insecticide treatment(s)

Landscaped areas...

- with weeds and/or grass growing around shrubbery and/or flowers will be regularly hand-weeded and/or appropriately treated by herbicide
- mulch is recommended (but not required) by BHCA to minimize weed resurgence

Lawn & landscaped areas

- will receive irrigation at appropriate frequency and durations

Additional information specific to the property of focus....

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page 3**

Agreed Upon Specific Homeowner Actions Planned to Resolve DCR Violation

This TARP will remain in effect until the DCR Violation is corrected **or** A & M observes that the agreement has been breached by the homeowner. A breach would be any failure to comply with an agreed upon specific planned action by the homeowner to resolve the DCR violation.

The primary purpose of a Homeowners Association (HOA) is to protect the quality of life of a neighborhood. HOAs do this by managing and maintaining the common areas of a community and enforcing rules to keep the neighborhood appealing and property values high. It is not the desire of the Board of Directors (BOD) to impose any hardships on any individual owner; however, the BOD has a fiduciary responsibility to ensure that the Governing Documents of the Association are followed.

If, during the term of this TARP, you have any questions and/or concerns regarding your efforts to resolve the respective DCR violation, please contact Alan Guthrie, Property Manager with A & M, sending to the email address or mailing address appearing at the top of this notice.

Thank you for your interest in returning your property to DCR compliance.

Regards,



Alan Guthrie
A & M Management

BHCA DCR Enforcement Notice Samples – THANK YOU (page 1)

BROOK HOLLOW COMMUNITY ASSOCIATION

C/O A & M MANAGEMENT PARTNERS COMPANY PO BOX 500377

MALABAR, FL 32950

alangAMmgmt@gmail.com

THANK YOU!

March 29, 2024

«Bill_to_1»

«Bill_to_2»

«Bill_to_3»

Re: «Ship» «to_2»

Dear New_First Name:

This notice is to formally acknowledge that the following previously communicated violation(s) of the Declaration of Covenants and Restrictions (DCR) of Brook Hollow Community Association (BHCA) at your property, is/are now considered to be corrected:

«Observation__1»

«Observation_2»

«Observation_3»

The DCR Violation Notice series regarding this DCR issue has been reset to a status of “zero.”

Thank you for helping keep Brook Hollow beautiful. Your efforts to coordinate correction of previous violation(s) is/are greatly appreciated.

Regards,

Alan Guthrie

A & M Management