

OAKLAND MILLS COVENANT ENFORCEMENT PROCESS

Goals and Objectives

One of the reasons Oakland Mills is a special place is that all property is subject to the Oakland Mills Covenants. These covenants are designed to:

- Encourage environmental excellence
- Preserve the design integrity and architectural quality of Oakland Mills land and dwellings
- Maintain aesthetic standards that make Oakland Mills an attractive and desirable place to live
- Prevent the deterioration of neighborhoods by following the original philosophy of enforcing good maintenance and property standards
- Ensure that structures and use of property remain harmonious with the general plan of development and use of property in Oakland Mills.

These objectives are accomplished through the architectural review system and covenant enforcement. The Covenants give the Architectural Committee the responsibility to set rules and procedures for architectural controls, as well as the power to interpret the covenants. There are similar covenants for each of the other Villages in Columbia.

Oakland Mills is over 40 years old. What were acceptable building practices 40 years ago may not be today, just as what is acceptable today may not be five years from now. Available and popular colors, material, and design features will differ from the developers' original concepts for Oakland Mills. Furthermore, the maintenance demands for older properties are much different from those the community faced even 20 years ago. Therefore, it is imperative that the Board review and revise the covenant procedures regularly to ensure that Oakland Mills continues to prosper.

Process

Residents who have a complaint regarding property maintenance, concerns about residential exterior changes, and other issues pertaining to covenant enforcement, are welcome to submit a covenant complaint form. This form is available online and in print. The form is completed then submitted and dated by the Oakland Mills Covenant Advisor and copies go to the Oakland Mills Village Manager and the Architecture Committee Chair. The Covenant Advisor enters every complaint into the Covenant Compliance Log (created August, 2015) that tracks in detail the status of each complaint until full resolution. Effective August 12, 2015 all complaints submitted to the Covenant Advisor will be recorded and tracked in this log. All preexisting open complaints shall also be entered and tracked. In submitting a complaint, a resident may choose to (1) not give their name (2) be named only in the Village records, or (3) be named both in Village records and in discussions with the property owner cited in the complaint.

Depending on the nature of the complaint, issues may be dealt with by the Covenant advisor directly or may be referred to the Columbia Association, the Howard County Department of Public Works, or another organization.

The ultimate goal of this process is to complete all corrective action within 1 year of the date on which a property owner is formally notified of a violation. If corrective action is not completed within that period, the violation shall be submitted to the Columbia Association ARC for possible litigation.

Timeline:

1. Receipt of complaint by Covenant Advisor.
2. When a complaint is received, it is promptly dated, a complaint case number is assigned, and it is entered into the official Oakland Mills data reporting and tracking database, the Covenant Complaint Log. A copy of the complaint is sent to the Architecture Committee Chair and the Village Manager.
3. After a case number is assigned and the complaint is entered into the Covenant Complaint Log, the Covenant Advisor and an Architecture Committee member coordinate to make a prompt visit the site (jointly or individually) to assess reported violations. A copy of the complaint with its validation status is sent to the complainant who is notified based on their stated preferred method of communication.
4. If violations are confirmed, the property owner is notified by letter, setting firm deadlines for response and/or correction, as follows:
 - A first letter is sent within five working days of the inspection via regular mail, notifying the property owner of the violations and setting a deadline for each violation correction. The letter will specify that even if unforeseen

complications arise all violations must be remedied within six-months of the date of this first letter. * The letter also will indicate that if there is no response within 15 days, a 360 ° inspection review of the property will be conducted. A 360 ° inspection review means an inspection of the front yard, side yards, back yard, all visible house exteriors and any other structures on the lot such as decks, sheds, trash enclosures, and proper maintenance of lawns, trees and shrubbery, etc.

- If there is no response from the property owner within 15 days of the first letter, a 360 ° inspection is conducted and a second letter is sent, including both the original violations and any discovered during the 360° inspection and re-stating the deadline for correction.
 - If there is no response from the property owner within 15 days of the second letter, a third letter is sent, re-stating the deadline for correction.
 - If there is no response from the property owner within 15 days of the third letter (i.e. six weeks from the date of the original complaint), the Village Board sends a 15-day warning notice via regular mail to the property owner.
5. If there is no response to the 15-day warning notice and if violations are not corrected, the Village Board approves submission of the case to the Columbia Association Architectural Resource Committee (ARC) for action.
 6. If the property owner responds to the violation notice within 15 days of receiving the first letter, he/she then works with the Covenant Advisor to correct the violation(s). However, if corrective action cannot be completed within 6 months of the date of the first letter, the Covenant Advisor shall bring the matter to the OMCA Architecture Committee. If the property owner has submitted a timeline with specific milestones that will achieve full completion within 1 year of receiving the first letter, the Architecture Committee may grant an extension on condition that the timeline is carried out.

** Note that, for fairness, this process is tightly followed and is the same for all complaints. However, in special circumstances, extensions can be authorized by the Architecture Committee Chair, in consultation with the Village Board. Any extensions given to a violator include follow-up timeframes that must be strictly kept, or the process continues.*

Oversight

Covenant enforcement is the legal responsibility of the Village Board. The enforcement process is carried out by the Covenant Advisor, who reports to the Village Manager. The Architecture Committee Chair discusses difficult cases with the Board on a case-by-case basis and seeks their advice. The Village Manager and the Architectural Committee Chair oversee the entire covenant enforcement process. The ultimate responsibility for the enforcement of the covenants rests with the OMCA Board.

Approved by OMCA Board: February 12, 2019

September 28, 2015