

**Hills Highlands Master Association  
Architectural Variance Request:  
Management – Committee Instructions**

**Management Procedures**

1. Management shall act in accordance with the HHMA Code of Conduct. All information received by the Management office is considered confidential in nature and is the property of the HHMA.
2. Once Management has determined that the homeowner's application is complete:
  - a. Management shall stamp the date of receipt on the completed application.
  - b. Management shall send the file containing all application documents via email to all members of the respective Architectural Committee.
  - c. If a written objection is received from a neighboring homeowner, that document must also be included in the material sent to the Architecture Committee.
  - d. HHMA Management shall fill out "Official Use Only" section of the application.
    - i. Management and Committee members must not disclose any information regarding an application to other residents or persons who may inquire.
    - ii. All decisions shall be communicated to the homeowner in writing by Management. Notification to include a letter to the opposing homeowner if their objection is overridden by the Committee.
    - iii. Committee members are in no way responsible or permitted to disclose approval or denial decisions.
3. Upon written receipt of the approval/denial documents from the Committee Chairperson, Management shall have no more than 3 days to send a decision letter to the homeowner. All decisions shall be communicated to the homeowner by Management.
4. Once a homeowner is in receipt of the decision made by the Architectural Committee he/she may do one of the following:
  - a. Upon approval, homeowners may apply for permits or begin the process of improvements only as described in the approved variance request.
  - b. Upon denial, a homeowner may, at its discretion, appeal the decision.
    - i. The appeal must be made in writing and submitted to the Board of Trustees, through the HHMA management office, within 45 days (45) days after the written decision is received by the homeowner applicant. It must include a copy of the decision letter of the Committee and a copy of the complete application.
    - ii. On behalf of the HHMA Board of Trustees, HHMA Management shall arrange for the appeal to be conducted and a decision rendered in accordance with the terms and provisions of the Resolution establishing an Alternative Dispute Resolution Program in compliance with N.J.S46:8B-14(k) which was adopted by the HHMA Board of Trustees on December 11, 1996 and subsequently revised and adopted on May 12, 2015. The cost of the appeal shall be borne by the applicant.
5. If a homeowner constructs an improvement on his/her property without following the procedures the following procedures shall be instituted:

- a. The Committee, through the managing agent of the HHMA, shall contact the offending homeowner in writing and shall demand that all work be stopped immediately. The homeowner shall be instructed to submit a Variance Request before any additional work can be done. (This shall also apply if the offending homeowner has completed the variance without prior approval.) The Architectural Committee shall then follow the normal review procedures and timetable. If approved, the homeowner may proceed with completing the improvement as outlined specifically in the approval notice. If not approved, the homeowner will be informed via normal procedures and the improvement shall be remedied to conform to the approval notice.
- b. If the offending homeowner does not or cannot remedy an improvement to initiate conformity with the approval notice within fourteen (14) days of the date of the receipt of the demand by the offending homeowner, the Committee, through the managing agent of the HHMA or applicable Neighborhood Association, or the Declarant or Developer shall have the right, but not the obligation, to fine the offending homeowner an amount of up to \$2,000. If the penalty remains unpaid for a period of (30) thirty days, the Committee, through the managing agent of the HHMA or the applicable Neighborhood Association, shall have the right, but not the obligation to file a Claim of lien encumbering the property until the penalty is paid in full and the violation remedied. The HHMA shall have the right, but not the obligation, to proceed with enforcement action, which shall be in the sole and absolute discretion of the Board of Trustees.

### **Committee Procedures**

1. Committee members shall not accept Variance Request applications from homeowners directly.
2. Committee members shall act in accordance with the HHMA Code of Conduct. All information received by the Committee is considered confidential in nature and is the property of the HHMA.
3. Committee members shall not review and approve/deny variances for their own properties,
  - a. For review of a Committee member's property, the Committee member shall abstain and the HHMA Board of Directors' Architectural Committee Liaison shall act in place of that committee member, or the Executive Committee shall review and approve/deny with guidance from the local committee.
4. The Committee shall review the variance request, with input from all members to reach consensus. This may entail visiting the property to provide a decision.
  - a. The Committee should review the request as soon as possible and shall have no more than thirty (30) calendar days from the date of receipt of the completed application from HHMA management to review it and to determine approval or denial.
  - b. The Committee may request additional documentation, information, or an onsite visit either directly with the applicant or through HHMA management within 14 days of the receipt of the completed application. (Note: The Committee and Management must inform each other of communications with the homeowner so that proper record is kept of those communications.) The Architectural Committee shall then have up to an additional thirty (30) days from the date of receipt of the amended application to complete its review.
5. Prior to the 31<sup>st</sup> day of review, the Committee Chairperson shall inform Management in writing of the Architectural Control Committee's decision to approve or deny the application. All

Committee and Management discussions and decisions are confidential and shall be handled in accordance with the ethical practices set forth in the HHMA governing documents.

- i. If the application is denied, the Chairperson shall furnish a detailed document to Management as to why the request was denied with potential solutions for the resident and send it to management concurrent with the denial decision.
  - ii. Committee members and Management must not disclose any information regarding an application to other residents or persons who may inquire. All information is the property of the Hills Highlands Master Association and is considered confidential.
  - iii. All decisions shall be communicated to the homeowner in writing by Management.
  - iv. Committee members are in no way responsible or permitted to disclose approval or denial decisions.
6. Upon written receipt of the approval/denial documents from the Committee Chairperson, Management shall have no more than 3 days to send a decision letter to the homeowner.