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**HOA LEADERSHIP
NETWORK**

By Board Leaders. For Board Leaders.



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HOA Leadership Network

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HOA Enforcement: Mechanisms, Strategies, and Best Practices

- ▶ Why Enforcement Matters
- ▶ Legal Authority
- ▶ What Can Be Enforced
- ▶ Due Process
- ▶ Enforcement Mechanisms
- ▶ Common Pitfalls
- ▶ Enforcement Tips



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Why Enforcement Matters

- ▶ Protects property values
- ▶ Ensures fairness and consistency
- ▶ Builds credibility and homeowner trust
- ▶ Prevents escalation of violations



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Foundation & Legal Authority

- ▶ Minnesota Law – MCIOA
- ▶ Governing Documents
 - ▶ Articles
 - ▶ Declaration
 - ▶ Bylaws
 - ▶ Rules and Regulations



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What Can Be Enforced?

- ▶ Architectural Guidelines
- ▶ Noise and Nuisance
- ▶ Pet Restrictions
- ▶ Parking Rules
- ▶ Leasing Requirements
- ▶ Other Health and Safety
- ▶ Anything else authorized by the Declaration



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Due Process: The Golden Rule

- ▶ Notice ➡ Opportunity to Cure ➡ Opportunity to Appeal ➡ Enforcement
- ▶ Why this protects both the HOA and homeowner
- ▶ Risks of skipping steps (e.g., lawsuits, bad optics)



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Enforcement Mechanisms

- ▶ Soft Enforcement – reminders and informal contact
- ▶ Administrative Enforcement – fines, suspension of privileges
- ▶ Legal Enforcement – liens, collection, court action
- ▶ Self Help – requires specific authority



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Fining Policy Best Practices

- ▶ All fines must be reasonable
 - ▶ aggregate vs individual fines
- ▶ Pre-set fine schedules
- ▶ Proper notice and appeal procedure
- ▶ Avoid “gotcha” enforcement



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Common Enforcement Pitfalls

- ▶ Unauthorized rules
- ▶ Enforcement of unwritten rules
- ▶ Skipping notice or hearings
- ▶ Retaliatory enforcement
- ▶ Personal bias in enforcement



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Enforcement Tips

- ▶ Document everything
- ▶ Violation tracking logs
- ▶ Enforcement letter templates
- ▶ Internal/board compliance policy
- ▶ Attorney review protocols



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Thank You!

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