



How to Write a Committee Report in Cases Appealed to the Board

If a committee decision is being appealed to the board, it is important that the board have a helpful synopsis of the committee's decision. The charging document, usually the Notice of Violation (NOV), contains the technical information that provided the basis for the committee hearing. Attaching it to this report may be very helpful as a reference document for the board.

I. Summary of the Committee's Decision

The committee decided that the homeowner (did/didn't) violate _____ (insert rule).

The committee imposed the fine/sanction of _____ (insert amount, If any).

The decision is consistent with previous committee decisions and the penalty schedule.

II. Reasons for the Committee's Decision

Discuss important facts supporting the committee's decision. Explain how the committee evaluated information provided by the homeowner that the board will be considering. Explain how the committee arrived at the penalty, if any. This is where you can discuss any reasons for mitigation of the standard penalty.

Here's an illustration of reasons for a Home Maintenance Committee's decision, with the factual insertions and analysis of the matter underlined.

The homeowner failed to remove moss from his driveway.

The homeowner disagrees that he should have to comply with this requirement in HMC B. 3. because he likes the look of a mossy driveway. The homeowner also argued he received approval from the ARCH Committee for his driveway and he was not told by the ARCH Committee that he could not have moss on it when ARCH approved his application.

Conclusion: The ARCH committee approved the construction of the driveway, but did not approve the use of moss. The ARCH Committee is not responsible for deciding maintenance issues, which are not part of its application process. The HMC rule prohibits moss on driveways as a maintenance issue. The HMC must follow the rule that applies to this homeowner's driveway.

The standard penalty of \$100 was imposed. HMC B.3. requires the owner to remove the moss in 45 days. More than 45 days have elapsed since the NOV was issued and the homeowner has not removed the moss. There was no mitigation of the fine because there were no circumstances that were reasonably beyond the homeowner's control that prevented his removal of the moss.