



Association Policy 100

CC&R Enforcement Procedures

The Idaho Legislature recently adopted Idaho Code § 55-3201 et seq. This legislation outlines allowed conduct by Homeowner's Association and how it relates to CC&R enforcement, violations, due process, notice requirements, limitations on fines, and subsequent attorney's fees.

The Association's CC&R Enforcement Procedure has been updated in accordance with the new Idaho Code § 55-3201 et seq.


Association CC&R Violation Process Per New Legislation

- The HSTA or its designated agent will conduct inspections of any property suspected of violating the CC&Rs.
- Instances of non-compliance with the CC&Rs will be documented and logged.
- A **Courtesy Reminder** of the CC&R requirements will be delivered to the property address and/or any other address at which a homeowner has requested notice or sent via regular mail or email. Staff may attempt a follow-up phone call or email if such contact information is up to date with the Association. The homeowner will have seven (7) calendar days to correct the violation or contact the HSTA office to arrange for an acceptable timeframe and a plan to remedy the violation.
- A **Covenant Violation Notice** will be issued to the homeowner if the homeowner does not resolve the violation within seven (7) calendar days of the Courtesy Reminder. Such Covenant Violation Notice will be delivered to the property or sent via regular mail or email. The homeowner will have seven (7) calendar days to correct the situation or contact the HSTA office to arrange for an acceptable timeframe and specific plan to remedy the violation.
- If no good faith attempts at correcting the violation is made within seven (7) calendar days from the Covenant Violation Notice, a written notice will be sent to the homeowner, 30 days prior to the Town Council meeting, by certified mail, requesting attendance at a Town Council meeting to discuss the violation. The thirty (30) days' notice will inform the homeowner that the Town Council intends to take a vote pursuing fees and costs, as well as potential damages, in enforcing compliance with the CC&Rs. At the meeting, the Town Council may vote to refer the matter to the Town Council attorney who may issue a **Second Covenant Violation Notice**. Pursuant to the CC&Rs that govern the Association, the homeowner's account will be assessed for the attorney and administrative fees, as well as staff time associated with the Second Covenant Violation Notice. Once the Town Council has voted and the attorney is notified, the process will be set in motion. There will be no reversal of fees and costs which may be assessed against the homeowner.

- If a homeowner refuses to comply after the Second Covenant Violation Notice, the Town Council may take legal action to force compliance and/or take any action allowed under the governing documents to remedy the violation. Again, pursuant to the Association's CC&Rs, all legal fees associated with these actions as well as any other costs or damages incurred as a result of a homeowner's failure to comply with the CC&Rs will be assessed to the homeowner's account and may also be recovered in any legal action instituted against the homeowner.

This CC&R Enforcement Procedure, effective March 1, 2026, replaces and supersedes all prior Hidden Springs CC&R enforcement procedure documents.

DATED THIS 24th day of February, 2026



Garry Stanislaw, President, Hidden Springs Town Council



Chris Zoepfel, Secretary, Hidden Springs Town Council