



## **LOHO HOMEOWNERS ASSOCIATION**

### **CODE COMMITTEE OPERATING POLICY**

#### **Effective Date**

01 July 2019

#### *Revision History*

- amended 11 August 2020 (streamlined process)
- amended 03 November 2019 (consolidated letter notification process, small admin changes)

#### **Ownership**

Code Committee

#### **Applicability**

Anyone working on or with the Code Committee

#### **Policy**

1. The mandate of the LOHO Board of Directors Code Committee is to identify clear and obvious violations of City of Jackson code and work with property owners to resolve them. It is not to engage property owners over frivolous matters.
2. The Code Committee shall have at least three (3) members at all times, at least two of which shall be active Board members.
3. All actions taken by the Committee shall be consistent with this policy to ensure a fair, standardized and orderly process is applied to each situation, without exception.
4. Anyone may identify a property for observation by the Committee.
5. Properties identified for observation should be obvious to the "reasonable person" and clearly map to an existing City of Jackson code or ordinance.

6. The Committee shall only engage the property owner(s) identified in the Hinds County Land Roll. The Committee shall not engage non-owner tenants or other occupants without the knowledge and consent of the property owner.
7. All engagements/correspondence with property owners by the Committee shall be documented and archived.

### **Procedure**

1. The Committee shall make regular observations of the neighborhood and present any recommendations for observation at Board meetings. A useful standard absent any other specific code or ordinance is whether the City could reasonably cite a property as a nuisance in accordance with Chapter 26, Section 301.4, Nuisance, of the City code. It states, in part,

*"The existence of any condition(s) on buildings, accessory structures, or property, which has an adverse impact on the safety, health, environment, aesthetics or property values of properties in the near vicinity as a result of being visible from outside the property, is declared to be a nuisance."*

A majority vote of an established quorum is required to initiate contact with any property owner(s). Recommendations should be forwarded to Board members far enough in advance to allow for individual members to make their own assessments before meetings.

If immediate action is considered necessary, the Committee may present a situation in an email to the Board with the relevant information and not wait until the next meeting. A majority response of the overall Board is required to initiate direct contact with any property owner(s) in this case.

2. When a property is identified and subsequently approved for observation, the Committee shall use the following steps in an attempt to resolve the situation:
  - a. Enter the relevant information on a tracking document (see (3) below for specifics). The property shall remain under observation for a minimum of twenty-one (21) days to give time for possible corrective action without Committee involvement. Direct contact with the property owner(s) during this time is discretionary.
  - b. Upon expiration of the observation period, send the property owner the letter detailed in the attachment of this policy via any means whereby delivery can be verified (certified USPS mail or other trackable method such as FedEx or UPS). Send to the address shown in the Hinds County Land Roll, which may or may not be the LOHO address. The letter must cite the specific City code or ordinance in question and request a specific action or actions from the property owner. Follow the template as closely as possible but edit as necessary. Print or save a copy of the delivery confirmation.

NOTE: for the sake of credibility, it is absolutely critical that letter is factually accurate with regard to the observed behavior and relevant City codes. All

Committee members should proofread and sign off on any correspondence before it is sent.

- c. If after twenty-one (21) days no meaningful change to the situation has been observed, and the property owner has not contacted the Committee as requested in the letter, the Committee may, at its discretion, send a follow up letter asking for clarification of progress or move on to the next step of referring the matter to the appropriate City office (Community Improvement Division, or CID, the entity responsible for code enforcement, or the Jackson Police Department).
  - d. If satisfactory resolution occurs anywhere in the process, send a thank you note or other follow-up letter as appropriate. Note the property as RESOLVED in the tracking document and detail any particulars.
  - e. Send all letters as described above and do not hand deliver to the property.
3. Effective and detailed documentation is very important for any number of reasons. Enter each property selected for observation on a tracking worksheet as follows (note: the worksheet may be in any format most useful to the Committee as long as it can effectively record the following minimum information):
- a. Status – OPEN or RESOLVED
  - b. Property Address – the LOHO address where the potential violation is observed
  - c. Property Owner – the owner(s) of the property, as opposed to occupant(s)
  - d. Applicable City of Jackson code, ordinance or law – reference by name and number
  - e. Key Facts – a detailed description of the situation including timeline if applicable
  - f. Key Dates
    - i. Board approval for observation
    - ii. Tracking worksheet initiated
    - iii. Observation ended
    - iv. Any letter(s) sent and their delivery confirmation
    - v. Any other type of contact with the property owner (i.e., in person, by phone, by email, etc.),
    - vi. Final resolution
  - g. Notes – details or other clarifying information as needed
4. The Code Committee will regularly liaise with City personnel on behalf of the Board to provide relevant information or updates, stay up to date on actual case progress, and to encourage active code enforcement in the Neighborhood by City code officers.

END



## HOMEOWNERS ASSOCIATION

1220 E Northside Dr.,  
Ste. 170 #169  
Jackson MS 39211  
www.lohojackson.org  
board@lohojackson.org

### 2020

#### BOARD OF DIRECTORS

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### SAMPLE LETTER

Joe Property Owner  
1234 Easy Street  
Jackson MS 39211

10 November 2019

Greetings,

The LOHO Homeowners Association (HOA) is contacting you regarding your property at 1234 Easy Street and is asking for your assistance to correct one or more City code violations that have been observed there over a period of at least twenty-one (21) days. These are detailed in the attachment to this letter.

We are requesting that you take steps to correct the described item(s) described in the attachment.

- If you have started the process to correct the item(s), or plan to start soon, please reply to board@lohojackson.org with an expected completion date.
- If there are extenuating circumstances whereby we should not consider requesting assistance from the Community Improvement Division (the City entity responsible for code enforcement) in the future to correct the issues, please reply with the relevant information to board@lohojackson.org.
- If you have been unable to find a reputable contractor to perform any necessary work, please contact us and we can probably assist you with that.

One of the stated objectives of the HOA is to increase property values, and we regard code enforcement as essential to these efforts. The HOA has formally adopted an internal process to address code violations in the neighborhood that we believe to be fair and orderly, and that informs all contact with LOHO property owners. A copy of this policy may be accessed at www.lohojackson.org/documents. It specifically states,

***"The mandate of the LOHO Board of Directors Code Committee is to identify clear and obvious violations of City of Jackson code and work with LOHO property owners to resolve them. It is not to engage property owners over frivolous matters."***

If you are receiving this, it is only because we believe there are violations of the City code occurring on your property that need your attention. Our only objective is to speak for the neighborhood in an effort to keep LOHO safe and looking the best it can be. We thank you for taking the time to address the identified item(s) and showing consideration for not only your own property value, but also for that of your neighbors.

Thank you!

For the LOHO Board of Directors,  
Code Committee

**SAMPLE ATTACHMENT**

Property Address 1234 Easy Street (Jackson, 39211)

Owner of Record  
(per Hinds County Land Roll) Joe Property Owner  
1234 Easy Street  
Jackson MS 39211

1. **[state the specific code by name and number] CHAPTER 26 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE XI. – PROPERTY MAINTENANCE CODE, Section 302.7 Accessory Structures**

**[cut/past verbatim the relevant part(s)]** "All accessory structures, including detached garage, fences and walls, shall be maintained, structurally sound, and in good repair. Fences and walls should be free from loose, missing, broken or rotting materials and shall have braces and supports attached or fastened in accordance with common buildings practices."

**[state the specific issue observed on the property] SPECIFICALLY** The fence line on the western side of the property visible from Schmeasy Street is clearly failing in multiple places and is in obvious disrepair.

**[state the specific action requested of the property owner] REQUESTED ACTION** Please take the necessary steps to have the fence repaired or replaces as required so as to conform to the City code.

**END**

The entire text of the applicable code(s) may be referenced at the following links.

City of Jackson Code of Ordinances  
[library.municode.com/ms/jackson/codes/code\\_of\\_ordinances?nodeId=11036](http://library.municode.com/ms/jackson/codes/code_of_ordinances?nodeId=11036)

International Property Maintenance Code (2015 Edition), referenced in the City of Jackson Code of Ordinances [www2.bgky.org/assets/files/aqoB3Kn5.pdf](http://www2.bgky.org/assets/files/aqoB3Kn5.pdf)

City of Jackson Zoning Ordinance (1974), as amended  
[www.jacksonms.gov/documents/zoning-ordinances/](http://www.jacksonms.gov/documents/zoning-ordinances/)