

New Garage Sale Enforcement Procedure Adopted By Board Results in \$100 Fine if Sale Not Shut Down Within an Hour

In response to requests from Voting Members and many residents, the Board of Directors acted in March to toughen enforcement of the prohibition of garage sales in High Desert. Under the new procedure adopted by the Board, any resident found conducting a garage sale will be immediately notified by the High Desert Security Patrol (G4S) to end the sale. Failure to do so within one hour will result in a \$100 fine of the owner without further notice.

The governing documents of High Desert prohibit residents from conducting any “garage sale, moving sale, rummage sale, or similar activity” (see the Declaration of Covenants, Conditions, and Restrictions (CC&R) Exhibit D – Use Restrictions). This restriction has been in place since High Desert was first established. Recent discussion at Voting Member meetings has reaffirmed support for this restriction, but also highlighted that the Association lacked an effective process for stopping violators. This resulted in the new policy.

Specifically the enforcement policy has been amended to say:

“...in the event that an active garage sale or similar violation of the Use Restrictions is observed or reported, the Board may authorize the High Desert Security Patrol to issue a warning notice to the Owner or other Person in Charge (PIC) demanding the cessation of all activity and the removal of all signage or other evidence of the event within one hour. If the Owner or PIC refuses to comply within the stated time period, the Security Patrol Officer shall prepare and hand-deliver a Notice of Proposed Sanction including all required information noted in paragraph 4 above and provide a copy of the Notice, along with photographic evidence of the continuing violation, to the management company for subsequent processing as noted below.”

To view the entire Enforcement Policy, visit the High Desert website at www.highdesertliving.net. From the homepage, click “Documents,” then “Policies” and scroll to “Enforcement Policy.”

This restriction on garage sales does not prevent a resident from selling household items. However sales must be done within the confines of the dwelling without any external evidence of the sale, including no signs displayed. For example, an estate sale may be held as long as it is conducted entirely within the home and has no street signs.

The overwhelming opinion of residents and Voting Members is that the policy is good for the community in by reducing incidences of traffic congestion, damage to yards and common area landscaping, and may even help reduce casing of the neighborhood for future criminal activity. Please feel free to share this information with your neighbors or post it on your Villages’s *NextDoor.com* online page. If you see a garage sale in progress, you may notify the High Desert Security Patrol at 505-485-5658. Officers will take the appropriate action.