



ST. TAMMANY PARISH

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RESTRICTIVE COVENANTS FREQUENTLY ASKED QUESTIONS

WHAT ARE RESTRICTIVE COVENANTS? Restrictive Covenants are legal agreements, often between homeowners in a subdivision, that restrict the use of the property in the subdivision. For example, covenants could restrict exterior colors, fences, upkeep or other property amenities. They may also be called “deed restrictions” or “conditions, covenants and restrictions”.

DOES ST. TAMMANY PARISH GOVERNMENT CREATE RESTRICTIVE COVENANTS? No. Restrictive Covenants are private contracts that do not involve parish government. Generally, the developer of a subdivision creates the Restrictive Covenants and records them at the courthouse. When someone buys land in a subdivision that has these covenants, they agree to keep the ‘covenant’, or agreement, with the other property owners.

WHO ENFORCES RESTRICTIVE COVENANTS? In most cases, the Homeowner’s Association of a subdivision enforces the Restrictive Covenants. First, a subdivision developer creates the Restrictive Covenants and enforces them. Later, enforcement is transferred to the Homeowner’s Association for the subdivision. St. Tammany Parish Government does not enforce private contracts between parties, and, thus, does not enforce Restrictive Covenants.

WHAT ABOUT DUAL VIOLATIONS OF RESTRICTIVE COVENANTS AND PARISH ORDINANCES? St. Tammany Parish Government will enforce its own ordinances when a land owner is in violation, but only to the extent of the ordinance violation.

WHY DOESN’T CODE ENFORCEMENT ENFORCE MY ASSOCIATION’S RULES? Code Enforcement is part of parish government and, as such, can only enforce the ordinances adopted by the St. Tammany Parish Council. Covenants are not ordinances. Restrictive Covenant violations are civil issues and must be pursued through a civil process in court.