

ASSOCIATION FINE POLICY

Pursuant to ARS. 33-1803, the Association has the power to impose reasonable monetary fines after notice and an opportunity to be heard for any violation of the Community Documents. As such, the Board hereby adopts the following fine policy:

The owner(s) shall be liable for any violations of the Community Documents, and for any violation committed by a family member, resident, guest, invitee, tenant or another occupant of the owner's lot. The amount of the monetary penalties shall be determined based on the nature of the offense and the number of violations, and the amount so established by the Board of Directors may range from \$50.00 to a maximum of \$500.00 per day. Homeowner will be fined per occurrence (see Schedule of Fine) for continuing violations, including but not limited to parking on gravel, overnight street parking, trash/recycle container improperly stored. The owner(s) in question shall be given an opportunity to be heard by the Board prior to assessing of any monetary penalties, and written notice of said hearing shall be given at least ten (10) days in advance of the hearing by regular mail or by hand delivery to the last-known address of the owner(s). The following are the steps that the Board intends to take in most situations:

1. First letter sent containing notification of violation and an adequate amount of time to cure the violation. This letter will include notice of "intent to fine", notifying the owner that they could be subject to a fine for the violation and give the owner the opportunity to be heard.
2. If the violation is not cured within the given time-frame or if the violation recurs anytime during a 90-day period (30 days for a weed letter), a "fine" letter will be sent, notifying the owner that they are subject to a fine for the violation and giving the owner the opportunity to be heard. After the owner has been given the opportunity to be heard, the fine will be applied retroactively to the date of the violation. If the violation is of a continuing nature, the Board may impose a continuing fine (such as a daily or weekly fine) until the violation is cured and the owner notifies the Board that the violation has been cured. If the fine remains unpaid, it will be collectible pursuant to A. R. S. 33- 1807.
3. If the violation continues or recurs, the Board may send additional letters and impose additional fines. The Board may also take legal action to require the owner to comply with the provisions of the Association's governing documents, and/or exercise the Association's rights to self-help.

The Board is not required to follow the above policy in every situation, but may vary from the above policy at its discretion based on the nature and number of violations.