

RESOLUTION BY THE BOARD OF DIRECTORS
Sunland Springs Village Garden Condominium Homeowners Association

c/o AAM, LLC
1600 W Broadway Rd., Ste 200
Tempe, AZ 85282
(602) 957-9191

FINE POLICY AND APPEAL PROCESS

The undersigned, constituting a quorum of the members of the Board of Directors of the Sunland Springs Village Garden Condominium Homeowners Association, an Arizona nonprofit corporation, hereby take the following action.

RESOLVED, that the Board of Directors hereby approves and adopts the Fine Policy and Appeal Process for the Sunland Springs Village Garden Condominium Homeowners Association attached to this resolution in its entirety.

The Board of Directors hereby instructs the managing agent to notify all Owners of the adoption and implementation of the Fine Policy and Appeal Process effective as of January 29, 2020.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 29 day of January, 2020.



Warren Wallin
President, Board of Directors



Pat Ballentine
Vice President, Board of Directors



Bev Koslow
Secretary, Board of Directors



Cathi McKechnie
Treasurer, Board of Directors



Arlene Griffin
Director, Board of Directors

Sunland Springs Village Garden Condominium Homeowners Association
FINE POLICY AND APPEAL PROCESS
Effective January 29, 2020

FINE POLICY

Pursuant to the Declaration, the Association shall have the right to adopt a schedule of fines for violation of any provision of the Governing Documents. The following Fine Policy and Appeal Process shall be followed for Sunland Springs Village Garden Condominium Homeowners Association:

FIRST NOTICE: An initial notice of the violation shall be mailed to the Owner requesting compliance within fourteen (14) days. **NO FINE.**

SECOND NOTICE: If violation still exists fourteen (14) days after the initial notice of violation, a second notice requesting compliance within fourteen (14) days shall be mailed to the Owner. **NO FINE**

THIRD NOTICE: If violation still exists fourteen (14) days after the second notice of violation, a third notice requesting compliance within fourteen (14) days shall be mailed to the Owner. A **\$50.00 FINE.**

FOURTH NOTICE: If violation still exists fourteen (14) days after the third notice of violation, a fourth notice requesting compliance within fourteen (14) days shall be mailed to the Owner. A **\$75.00 FINE** will be assessed with the fourth notice of violation and is due immediately.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice of violation, a **FINE of \$75.00** shall be assessed **every fourteen (14) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, the cost of which shall be invoiced to the Owner and collected in the same manner as assessments.

FINES: No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to correct the violation within fourteen (14) days or ***another occurrence of the same violation within three (3) months*** of the original violation shall make the Owner ***subject to imposition of a fine.*** Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under the Declaration.

SELF HELP: Pursuant to Article 10.2 of the Declaration, If any Owner fails to perform any necessary maintenance or make any necessary repairs, after receiving notice from the Board of the requirement to perform such maintenance or repairs within the time limits established by the Board, the Board and its agents and representatives shall have the right, but not the obligation, to enter on the Lot and to make the necessary repairs. The cost of these corrective measures shall be charged to the Owner and collected as a Benefited Assessment. Any such entry shall be after reasonable notice of the time and date of entry, and after such hearings and notice as the law may require.

Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.

APPEAL PROCESS

- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL."
- An Owner/member who receives a written notice that the condition of the property owned by the member is in violation of the community documents without regard to whether a monetary penalty is imposed by the notice may provide the association with a written response by sending the response by certified mail within twenty-one (21) calendar days after the date of the notice. The response shall be sent to the address identified in the notice.
- Appeals shall demonstrate ***extenuating circumstances*** which require deviation from the Governing Documents.
- Appeal shall include all pertinent backup information to support the existence of the ***extenuating circumstance***.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered ***DENIED***.
- The Owner appealing the violation will be given written notice that the appeal has been received and it will be reviewed by the Board.
- If the appeal is denied, the Owner must bring the violation into compliance within fourteen (14) days. If the violation still exists after fourteen (14) days, the Owner will be fined until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowner and collected in the same manner as assessments.