

Villa Oak Homeowners Association Enforcement Policy

Effective October 1, 2017

First Violation Notice:

The first violation notice will state the nature of the violation and provides the homeowner with the process the homeowner must follow to contest the notice and their opportunity to be heard in accordance with Arizona state law as well as written notice of the option for an administrative hearing on the matter in the Department of Real Estate pursuant to section 32-2199.01. The homeowner will be given 14 calendar days (except for trash container and parking violations, which must be addressed immediately) to correct the violation, otherwise further enforcement action including but not limited to the imposition of fines will be taken.

Second Violation Notice:

The Second Violation will state the nature of the violation and that a \$50.00 Initial Monetary Penalty has been assessed. The homeowner will be given 14 calendar days (except for trash container and parking violations which must be addressed immediately) to correct the violation or further enforcement action including but not limited to the imposition of additional fines.

Third Violation Notice:

The Third Violation Notice will state the nature of the violation and assess a \$100.00 Monetary Penalty. The homeowner will be given 14 calendar days (except for trash container and parking violations which must be addressed immediately) to correct the violation, otherwise further enforcement action including but not limited to the imposition of fines will be taken.¹

Additional Monetary Penalty:

If the violation remains outstanding a \$150.00 Additional Monetary Penalty will be imposed every 14 days until the violation is corrected. In addition to the Monetary Penalty there will be a \$15.00 certified mailing fee assessed for each violation letter sent to the homeowner.

Exception to Notice Procedure:

Violations posing threat to the health, safety and welfare of the community that requires immediate actions are excluded from the foregoing notice provisions. Examples of health, safety and welfare violations include but not limited to the following of trash and or other materials that attract pests, threat of flood or dire damage to neighboring properties, escaped pets, pets defecating and not being picked up and cleaned.

Right to Self Help:

Pursuant to Article X Section 5 of the Declaration the Board has the right (but not obligation) to enter the homeowners property to remedy the violation. The Association may assess the costs it incurred to correct the violation to the unit homeowner.

Opportunity to be Heard:

The board recognizes each homeowner's right to explain or dispute a violation of the Enforcement Policy. Before a fine is assessed, a homeowner must provide a written request for a hearing. If the hearing is scheduled and attended, the homeowner is bound by the decision of the board.

Sincerely,
Villa Oak Board

