

CASA REQUENA II HOMEOWNERS ASSOCIATION

VIOLATION AND ENFORCEMENT POLICY

(Effective July 1, 2019)

Casa Requena II Homeowners Association has established the following Violation and Enforcement Policy for violations of the Governing Documents, which includes the Covenants, Conditions and Restrictions (CC&Rs), Bylaws, Articles of Incorporation and any Rules and Regulations duly adopted by the Association. This Policy will be deemed part of the Association Rules and is subject to amendment or modification at any time by majority vote of the Board. This Enforcement Policy is adopted in accordance with Arizona Law and the provisions of the CC&Rs and Governing Documents, as currently in force and effect. The Board of Directors hereby approve the following policy at a duly called meeting of the Board on April 11, 2019.

First Notice – No penalty assessed

A first notice will be sent to the owner of the property outlining the violation. In the event that the owner of the property is identified as an absentee owner, a copy of the notice may also be sent to the tenant at the property address. The owner will be given twenty-one (21) calendar days to bring the violation into compliance. The first notice shall include a warning that if the violation is not cured within twenty-one (21) calendar days, a fee of one hundred (\$100.00) dollars shall be assessed plus a certified mailing fee of fifteen (\$15.00) dollars. The notice shall notify the Owner of the steps to be taken to cure the violation as well as how to be heard before the Board of Directors. This letter shall also inform the owner of their right to petition the Department of Real Estate pursuant to A.R.S. § 32-2199.01.

Second Notice and Assessment of Initial Monetary Penalty

A second notice will be sent if the owner has not complied with the first notice, or if the violation has returned or has been repeated. The second notice will inform the owner that a fee has been assessed in the amount of one hundred (\$100.00) dollars plus a certified mailing fee of fifteen (\$15) dollars. The second notice shall also include a warning that if the violation is not cured within ten (10) calendar days, a fee of five hundred (\$500.00) dollars shall be assessed, plus an additional certified mailing fee of fifteen (\$15) dollars.

Third Notice and Assessment of Additional Monetary Penalty

A third notice will be sent if the owner has not complied with the first and second notices, or if the violation has returned or has been repeated. The third notice will inform the owner that a fine has been assessed in the amount of five hundred (\$500.00) dollars. Any additional postage will be assessed. The third notice shall also include a warning that if the violation is still not cured within five (5) calendar days, an additional seven hundred and fifty (\$750.00) dollar fine will be imposed.

Additional Monetary Penalty

Upon each subsequent inspection where it is found that the violation is still not cured, a fine of (\$100.00) dollars shall be assessed plus any certified mailing fees. Inspections will be conducted to coincide with the terms of the notices.

Certified Mailing Fee

In addition to the monetary penalties there will be a fifteen (\$15) dollar certified mailing fee assessed per violation.

Should a period of time of at least ninety (90) calendar days lapse between violation letters of the same offense, the next letter will be a first notice again.

Exception to Notice Procedure

Violations posing a threat to the health, safety, and welfare of the community, as a whole, or any one or more other owners may require immediate action and thus create exceptions to the foregoing notice provisions. Examples of health, safety, and welfare violations include, but are not limited to, the following: accumulation of trash and/or other materials that may attract pests; threat of flood or fire damage to neighboring properties; an escaped pet; or a collapsed structure or tree blocking the road or drivers' lines of vision.

Right of Self-Help

The Association has the right (but not the obligation) to enter the owner's property and to provide all maintenance and repairs that are necessary to remove the violation. Entry by the Association and any of its agents is not an actionable trespass. The Association may assess the Owner for the costs of all maintenance and repairs performed by the Association.

Opportunity to be Heard

The Association recognizes each owner's right to explain the reasons why there is a violation of the CC&Rs or the other Governing Documents, particularly if the violation results in an assessment. Before any fee is assessed, an owner will have the opportunity to request a hearing before the Board of Directors. The owner must provide timely written request for a hearing. If the hearing is scheduled, and attended, the owner is bound by the decision of a majority of the Board.

CERTIFICATION OF ADOPTION OF VIOLATION AND ENFORCEMENT POLICY

I, Ron Tasso, in my capacity as President of the Association, hereby certify that the above Violation and Enforcement Policy was adopted by a majority of the Board at a duly noticed meeting held on this Eleventh day of April, 2019.

Casa Requena II Homeowners Association

By: Ron Tasso

Signature

Ron Tasso

Print Name

5-29-19
Date