

**CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
1920 E. MARYLAND PLACE TOWNHOMES, INC.**

FINE POLICY AND VIOLATION APPEAL PROCESS

The undersigned, representing a quorum of the Board of Directors of 1920 E. Maryland Place Townhomes, Inc., an Arizona nonprofit corporation, at a duly called meeting of 1920 E. Maryland Place Townhomes, Inc. and reflected in the Meeting Minutes on May 19, 2020, hereby take the following action:

RESOLVED, that the Board of Directors hereby approves the Fine Policy and Violation Appeal Process for 1920 E. Maryland Place Townhomes, Inc. attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all homeowners of the implementation of the fine system effective as of July 1, 2020.

IN WITNESS WHEREOF, the undersigned have executed the consent as of this 19th day of May 2020.

Tony Radford, President

Board Member – Print

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Board Member - Signature

**FINE POLICY
VIOLATION APPEAL PROCESS**

Effective July 1, 2020

FINE POLICY

The following Fine Policy and Violation Appeal Process shall be followed for the 1920 E. Maryland Place Townhomes, Inc.:

COURTESY NOTICE: An initial notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within 21 days – NO FINE

SECOND NOTICE: If violation still exists, a Second Notice requesting compliance within 14 days shall be mailed via first class mail to the homeowner. A \$25.00 FINE will be assessed and due immediately with the second notice. This letter shall also state that the Owner may petition the Department of Real Estate pursuant to ARS 32-2199.01.

THIRD NOTICE: If violation still exists, a Third Notice requesting compliance within 14 days shall be mailed via first class mail to the homeowner. A \$50.00 FINE will be assessed and due immediately with the third notice.

FOURTH NOTICE: If violation still exists, a Fourth Notice requesting compliance within 14 days shall be mailed via first class mail to the homeowner. A \$100.00 FINE will be assessed and due immediately with the fourth notice.

CONTINUING VIOLATIONS: If the violation continues without resolution after the third notice a fine of \$100.00 shall be assessed every 14 days until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action. The cost of which shall be billed to the homeowner and collected as allowed by Arizona Revised Statutes.

ARCHITECTURAL IMPROVEMENTS WITHOUT APPROVAL: Any architectural additions, changes or alterations which in any way alters the exterior appearance of the Property and completed without obtaining prior written approval from the Architectural Committee shall be assessed a \$200.00 fine per month until the architectural form is submitted.

FINES: No fine shall be imposed without providing a written warning to the Owner describing the violation and stating that failure to stop the violation within no less than fourteen (14) days or another recurrence of the same violation within six

months (6) months of the original violation shall make the Owner subject to the imposition of a fine.

Additional Remedies. The Association has the right, without proceeding through the steps outlined in the fine schedule above, to exercise its legal remedies against an Owner who is in violation of provisions in the Governing Documents, or to exercise self-help, if applicable. Nothing in this Resolution prohibits the Association from seeking immediate redress, filing an action for any reason authorized by law, while also seeking injunctive relief for violations that are continuing or that affect the health, safety or welfare of the Community. Subject to the Governing Documents, the Association shall be entitled to its attorney fees and costs to compel compliance, regardless of whether a lawsuit is filed.

VIOLATION APPEAL PROCESS

When a violation notice is sent to a homeowner, the notice includes a statement notifying the homeowner that they have the "RIGHT OF APPEAL". When a homeowner wants to appeal a violation, they must send the Management Company written notice that they are requesting an appeal of the violation

- Appeals shall be received within twenty-one days of the date of the fine notification (violation letter)
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&Rs and/or guidelines
- Appeals 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.
- The homeowner appealing the violation will be given written notice that the appeal is scheduled
- The appeal shall be heard in Executive Session
- The Board President will introduce all parties
- Lengthy discussions are not a part of an appeal process.
- The homeowner who is appealing will be asked to state their case and present any documentation that is applicable
- Each Board Member will have the opportunity to ask the homeowner specific questions regarding the appeal.
- Upon completion of the questions and answer period, the Board President will state the appeal has been heard and the Board will make their decision in closed session. Then "Written Notice" of the Board's decision will be given to the homeowner within (7) seven working days.

If the appeal is denied, the homeowner must bring the violation into compliance within (14) fourteen days. If the violation still exists after (14) fourteen days, the homeowner will be fined \$100.00 every fourteen (14) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation.