

Canyon Trails-Unit 3 Homeowners Association

Revised 3/9/15 during an HOA Open Session
Meeting Effective 5/1/15

The following Fine Policy and Violation Appeal Process shall be followed for the Canyon Trails-Unit 3 Homeowners Association:

FIRST NOTICE: An initial notice of the violation shall be provided to the homeowner in a form of written documentation (i.e. regular mail or email, as preferred by the homeowner) requesting compliance within fourteen (14) days – NO FINE.

SECOND NOTICE: If the violation still exists, a second notice requesting compliance within ten (10) days shall be provided to the homeowner in a form of written documentation (i.e. regular mail or email, as preferred by the homeowner). A \$100.00 fine will be assessed and due immediately with the second notice.

THIRD and CONTINUING NOTICE: The Board will implement the self-help clause stated in CC&R's Article VIII and section 8.1. A fee of \$125 will be applied to Homeowner account for services implemented on the property.

If the violation continues without resolution after the second notice, an additional FINE of \$200.00 shall be assessed every ten (10) days until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action, the costs of which shall be billed to the homeowner and collected as allowed by Arizona Revised Statutes.

FINES: No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to stop the violation or another recurrence of the same violation group (i.e. street parking, yard parking and RV parking all fall within the same group) within six (6) months of the original violation shall make the Owner subject to imposition of a fine.

When the owner of an individual lot becomes delinquent in their Association account, their account will be forwarded to Collections, in accordance with the Canyon Trails-Unit 3 Collection Process Agreement.

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 five (5) days of the date of the fine notification (violation letter).
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&R's 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.
- Any appeal that does not meet the above requirements shall be heard by the Board and shall be considered DENIED.
- 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 question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in closed session. Then "Written Notice" will be given to the homeowner of the Board's decision within seven (7) to fourteen (14) business days.

If the appeal is denied, the homeowner must bring the violation into compliance within ten (10) days. If the violation still exists after ten (10) days, the homeowner will receive a \$200.00 FINE every ten (10) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. Also, if you do not pay any of the aforementioned fines, you will be sent to Collections.