

Laveen Ranch Homeowners Association

FINE POLICY **Effective May 1, 2013**

The following Fine and Appeals Policy shall be followed for the Laveen Ranch Homeowners Association:

FIRST NOTICE: An initial notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within fourteen (14) days of the date the violation was noted - **NO FINE.**

SECOND NOTICE: A second notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within fourteen (14) days of the date the violation was noted - **NO FINE.**

THIRD NOTICE: If violation still exists fourteen (14) days after the second observation of the violation, a third notice requesting compliance within fourteen (14) days of the third observation of the violation shall be mailed via regular mail to the homeowner. A **\$50.00 FINE** will be assessed and due immediately with the third notice.

FOURTH NOTICE: If violation still exists fourteen (14) days after the third observation of the violation, a fourth notice requesting compliance within fourteen (14) days of the fourth observation of the violation shall be mailed via regular mail to the homeowner. A **\$100.00 FINE** will be assessed and due immediately with the fourth notice.

The Board will implement the self-help clause stated in CC&R's Article 10 and section 10.2. A fee of **\$100** will be applied to Homeowner account for services implemented on the property.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice, a FINE of \$100.00 shall be assessed every fourteen (14) days until the violation is resolved.

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 within no less than fourteen (14) days or another recurrence of the same violation within three (3) months of the original violation shall make the Owner subject to imposition of a fine.

VIOLATION FINE 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 a written notice that they are requesting to appeal the violation to the Homeowners Association, in care of the Management Company.

- Appeals shall be received within ten (10) 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 design 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 not 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, including the date the appeal will be heard.
- 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" of the Board's decision will be mailed to the homeowner within seven (7) working days.

If the appeal is denied, the homeowner must bring the violation into compliance within fourteen (14) days. If the violation still exists after fourteen (14) days, the homeowner will be fined **\$100** every (14) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation.