

**SANTA RITA RANCH III HOMEOWNERS ASSOCIATION  
FINE POLICY AND APPEAL PROCESS  
Effective January 1, 2024**

Pursuant to Arizona Revised Statutes § 33-1803, the Association's Board of Directors shall have the right to impose fines for violation of any provision of the Governing Documents. The following Fine Policy and Appeal Process shall be followed for Santa Rita Ranch III Homeowners Association:

**FIRST NOTICE:** An initial notice of the violation shall be mailed to the Owner requesting compliance within fifteen (15) days - **NO FINE**.

**SECOND NOTICE:** If violation still exists fifteen (15) days after the initial notice of violation, a second notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$25.00 FINE** will be assessed with the second notice of violation and is due immediately.

**THIRD NOTICE:** If violation still exists fifteen (15) days after the second notice of violation, a third notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the third notice of violation and is due immediately.

**FOURTH NOTICE:** If violation still exists fifteen (15) days after the third notice of violation, a fourth notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the fourth notice of violation and is due immediately.

**CONTINUING VIOLATIONS:** If the violation continues without resolution after the fourth notice of violation, a **FINE of \$100.00** shall be assessed **every fifteen (15) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, the cost of which shall be invoiced to the Owner and collected in the same manner as assessments.

**FINES:** No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to correct the violation within fifteen (15) days or ***another occurrence of the same violation within three (3) months*** of the original violation shall make the Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under the Declaration.

**SELF HELP:** Pursuant to Article 4.2 of the Declaration, Each Owner shall be responsible for the maintenance, cleaning, painting, repair and general care of all structures existing or constructed upon such Owner's Lot and, in particular, each Owner shall cause the exterior of said structures to be maintained in good condition and repair and in an attractive state consistent with general community standards within the Property. If the Board determines, after providing reasonable notice and an opportunity to be heard, that any Owner is in breach of such Owner's obligations under the preceding sentence, the Board shall promptly give such Owner written notice of such determination, including a reasonably detailed list or description of the repairs,

maintenance or other work required to cure such Owner's breach, and if the Owner shall not have cured such breach within fifteen (15) days after the date of said written notice, the Association may, in the discretion of the Board, cause the repairs, maintenance or other work to be performed so as to cure such Owner's breach, and the costs of doing so, together with interest from the date of expenditure at the rate set forth in Section 8.3, shall be the personal obligation of such Owner and shall constitute a lien on such Owner's Lot, which lien shall have the priority and may be enforced in the manner described in Section 8.4. The Association shall also have standing and authority to request that a court of competent jurisdiction compel such Owner to secure such breach, and to the extent not inconsistent with an order of such court, the Association may pursue either or both of the courses of action described in the preceding sentence. The Association shall have an easement on, over, across and through each Lot to permit it to exercise its rights and carry out its duties and obligations under this Article 4.

**Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.**

**The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.**

### **APPEAL PROCESS**

- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL."
- An Owner/member who receives a written notice that the condition of the property owned by the member is in violation of the community documents without regard to whether a monetary penalty is imposed by the notice may provide the association with a written response by sending the response by certified mail within twenty-one (21) calendar days after the date of the notice. The response shall be sent to the address identified in the notice.
- Appeals shall demonstrate ***extenuating circumstances*** which require deviation from the Governing Documents.
- Appeal 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 Owner appealing the violation will be given written notice that the appeal has been received and it will be reviewed by the Board.
- If the appeal is denied, the Owner must bring the violation into compliance within fifteen (15) days. If the violation still exists after fifteen (15) days, the Owner will be fined \$100.00 every fifteen (15) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowner and collected in the same manner as assessments.

**UNANIMOUS CONSENT TO ACTION  
BY THE BOARD OF DIRECTORS  
SANTA RITA RANCH III HOMEOWNERS ASSOCIATION**

c/o AAM, LLC  
1600 W. Broadway Rd., Ste. 200  
Tempe, AZ 853.73  
(602) 957-9191

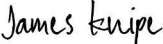
**FINE POLICY AND APPEAL PROCESS**

The undersigned, constituting all of the members of the Board of Directors of Santa Rita Ranch III Homeowners Association, an Arizona nonprofit corporation, hereby take the following actions in writing and without a meeting pursuant to Section 10-3821, Arizona Revised Statutes, which actions shall have the same force and effect as if taken by the Board at a duly called meeting of the Board.

RESOLVED, that the Board of Directors hereby approves the Fine Policy and Appeal Process for Santa Rita Ranch III Homeowners Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Fine Policy and Appeal Process effective as of January 1, 2024.

IN WITNESS WHEREOF, the undersigned have executed this consent as of date of this signing.

DocuSigned by:  
  
599ECF80C32F4A8...  
Name  
President and Director, Board of Directors

1/16/2024

Date

DocuSigned by:  
  
A1BA33046D74432...  
Name  
Vice President and Director, Board of Directors

1/16/2024

Date

DocuSigned by:  
  
10D206EE14E24C7...  
Name  
Secretary/Treasurer and Director, Board of Directors

1/22/2024

Date