[redacted]

August 1, 2026

VIA CERTIFIED MAIL AND EMAIL

Board of Directors
Santa Rita Ranch III Homeowners Association
c/o AAM, LLC
215 W. Giaconda Way, Suite 161
Tucson, Arizona 85704

Copy by email: Ken Inskeep, Area Manager, AAM, LLC — kinskeep@associatedasset.com

Re: Formal Written Response, Statutory Contest, and Board Appeal

[redacted]
Notice: July 23, 2026 | **Compliance:** [redacted] / [redacted]
Classification: "Trash" / "Trash - Bulk Trash" / "Bulk Trash"

Dear Members of the Board and Mr. Inskeep:

This letter is my timely:

1. written response and contest under A.R.S. § 33-1803(C);
2. formal appeal under the Association's Fine Policy and Appeal Process and any other applicable Association procedure;
3. supplement to, and formal memorialization of, my July 24 and July 28, 2026 written objections; and
4. new and independent request for Association records under A.R.S. § 33-1805.

Please docket Compliance No. [redacted] as **DISPUTED** and promptly transmit this letter, Schedule A, Exhibits A through F, and my prior correspondence to every member of the Board and to Association counsel as needed. This is a present and operative contest and appeal. It is not merely notice of an appeal that may be filed later.

Pursuant to A.R.S. § 33-1804(A)(5), I request an **OPEN-SESSION** Board hearing, advance meeting and agenda notice, and an opportunity to speak after Board discussion and before formal action under § 33-1804(A) and (D)-(F). I do not consent to management deciding the appeal or to its substantive disposition in closed session.[1] The Board may receive privileged legal advice in a session lawfully closed under § 33-1804(A)(1), but deliberation and formal action on the merits should occur in open session.

[redacted]

I intend to audio-record the open portion under A.R.S. § 33-1804(A). If the meeting is remote, AAM should configure the platform accordingly. The Board may adopt reasonable recording rules, but may preclude attendee recording only if it records the meeting itself and makes the unedited recording available on request without evidentiary-use restrictions. If the Board chooses that alternative, please confirm it will record the complete open portion, retain it for at least six months, and provide it under §§ 33-1804(A) and 33-1805(A).

The core dispute is narrow: the July 22 photograph documents that materials were present at one moment; it does not, by itself, establish the elements of the "Trash/Bulk Trash" violation AAM recorded. I do not ask the Association to destroy the photograph or correspondence. I ask the Board to vacate an unproven violation determination and prevent adverse use of that determination.

[redacted] After I became aware of AAM's objection, I directed that they be moved, and the condition was corrected within approximately ten minutes. (Exhibit C.) That cooperation was not an admission that the materials were trash, bulk trash, rubbish, debris, a nuisance, prohibited storage, or otherwise a violation. I acknowledge their momentary presence and prompt removal; the Association must still establish the charge it chose to record.

I. Statutory Posture and Timeliness

A.R.S. § 33-1803(C) applies whenever a member receives a written notice alleging that a property condition violates the community documents, "without regard to whether a monetary penalty is imposed by the notice." The Association cannot avoid that statute by labeling its document a "Courtesy Notice." (Exhibit A.)

Subsection (C) provides:

> A 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 calendar days after the date of the notice. The response shall be sent to the address identified in the notice.

The notice is dated July 23, 2026. (Exhibit A.) This certified-mail response is being sent well within the statutory period. Mr. Inskeep's July 30 response expressly referenced my "7/28 email" and its records request, confirming AAM's receipt no later than July 30. (Exhibit D.) This certified mailing satisfies A.R.S. § 33-1803(C), and subsection (D)'s ten-business-day period runs from the Association's receipt of this mailing. It does not withdraw, narrow, or reset the separate records request I sent on July 28.

A.R.S. § 33-1803(D) provides:

> Within ten business days after receipt of the certified mail containing the response from the member, the association shall respond to the member with a written explanation regarding the notice that shall provide at least the following information unless previously provided in the notice of violation:
>
> 1. The provision of the community documents that has allegedly been violated.
> 2. The date of the violation or the date the violation was observed.

3. The first and last name of the person or persons who observed the violation.
4. The process the member must follow to contest the notice.

The notice supplied an observation date and described an online Board-appeal route, but it did not identify the governing-document provision allegedly violated or the first and last name of each observer. (Exhibit A.) Mr. Inskeep later quoted Section 10.16 generally. (Exhibit D.) Even if that quotation supplied subsection (D)(1)'s missing provision, the Association still has not supplied the observer information required by subsection (D)(3), and the broad quotation does not identify which clause supports the retained "Trash/Bulk Trash" classification.

Subsection (D) permits information omitted from an initial notice to be provided after a certified response. This certified response invokes subsection (D). Within ten business days after receiving it, please provide the required written explanation and every subsection (D) item that has not previously been provided.

II. Chronology and Present Status

The relevant chronology is straightforward:

- AAM's only produced substantive evidence is one photograph timestamped July 22, 2026 at approximately [redacted] a.m. MST. (Exhibit B.)
- The Courtesy Notice is dated July 23, 2026. (Exhibit A.)
- The notice reached my email inbox at approximately [redacted] p.m. on July 24. After seeing it, I immediately directed that the materials be moved; the condition was corrected within approximately ten minutes. I sent my written response and photographs at approximately [redacted] p.m. (Exhibits C and D.)
- Mr. Inskeep initially stated that AAM would "close out the violation accordingly," but did not answer my request to withdraw the notice from my compliance history. He cited CC&R Section 10.16 only after I objected. (Exhibit D.)
- On July 28, I expressly contested the notice, requested the missing statutory information, requested records, and asked that the matter be presented to the Board. (Exhibit D.)
- Mr. Inskeep's July 30 response refused withdrawal because a photograph showed that the materials had existed and because withdrawal would allegedly be contrary to "Association management as well as AAM policies and procedures." That response again did not address the substance of my contest. (Exhibit D.)
- As of July 30, AAM's All Access portal continues to display Compliance No. [redacted] in my compliance history as Type "Bulk Trash," Status "Resolved," with the description "Remove wood [redacted] amd [sic] [redacted] and one photo. (Exhibit E.)
- On August 1, I followed the appeal URL printed in the Courtesy Notice. Rather than opening an appeal form or a notice-specific contest process, https://www.homeownerresources.com/Appeals redirected to AAM's generic public "Homeowner Resources" page. That page advertises numerous unrelated services and directs users generally to log in or sign up to access HOA forms; it merely lists "Compliance Appeals" among several available forms. (Exhibit F.)

"Resolved" may acknowledge cure; it does not resolve my challenge to the entry's validity, classification, retention, or future use. No appeal or dispute control is visible on the retained entry in either portal screen. (Exhibit E.) The dispute remains live.

III. Grounds for Contest and Appeal

A. The Association Has Not Established the Violation It Actually Charged

The notice identified the matter as **"Trash."** (Exhibit A.) AAM's photo-production page describes the same matter as **"Trash - Bulk Trash"** (Exhibit B), and the All Access app retains the entry as **"Bulk Trash"** (Exhibit E). The notice did not identify:

- nuisance;
- an unsightly condition;
- exterior storage;
- storage of construction or landscaping materials;
- rubbish or debris accumulated for an unreasonable length of time;
- unreasonable annoyance;
- a violation of a rule adopted under Section 10.16; or
- a violation of any identified Design Guideline.

Wood [redacted] and [redacted] are not inherently trash or bulk trash. Depending on context, they may be materials, equipment, or items in temporary use. AAM's produced record contains no fact showing that the photographed items were discarded, abandoned, intended for disposal, or otherwise "Trash." (Exhibit B.) Presence is not classification.

The relevant question is not whether one photograph shows that materials were present when photographed. It is whether the Association can establish the specific violation it actually charged.

B. The Single Photograph Does Not Establish the Rubbish-or-Debris Theory in Section 10.16

Mr. Inskeep later cited Section 10.16, entitled "Nuisance." (Exhibit D.) Its first sentence states in relevant part:

> No rubbish or debris of any kind shall be placed or permitted to accumulate for any unreasonable length of time on any portion of the Property, and no odors shall be permitted to arise therefrom, so as to render the Property or any portion thereof unsanitary, unsightly or offensive or detrimental to any other portion of the Property in the vicinity thereof or to its Owners or Occupants.

If the Association relies on the first sentence's prohibition against permitting rubbish or debris to accumulate for an unreasonable length of time, the single photograph establishes, at most, that certain materials were visible at one moment on July 22. It does not establish when the materials were placed, that they qualified as rubbish or debris, how long they remained, or why any period was unreasonable. It also does not identify which listed condition - unsanitary, unsightly, offensive, or detrimental - the Association contends existed or the facts supporting that

conclusion. I understand the Association not to be alleging an odor; if it is, please identify the supporting evidence.

If the Association instead interprets "placed" as a distinct prohibition that does not require proof of duration, it should identify that interpretation expressly and explain why [redacted] and a [redacted] qualified as rubbish or debris. One timestamped photograph does not, without additional evidence identified by the Association, resolve those classification or interpretive questions.

Arizona interprets restrictive covenants to give effect to the parties' intent as shown by the instrument's language, the circumstances of creation, and the restriction's purpose. *Powell v. Washburn*, 211 Ariz. 553, 556–57, ¶¶ 13–14, 125 P.3d 373, 376–77 (2006). That rule cuts both ways: Section 10.16's nuisance-control purpose informs its meaning, but AAM may not erase the operative words "rubbish," "debris," and "unreasonable length of time." A portal label is not evidence that those conditions existed.

C. A Later Nuisance or Unsightliness Citation Does Not Itself Establish a Violation

Section 10.16 contains several different concepts. In addition to its rubbish-or-debris clause, it addresses noxious, destructive, or offensive activity; unreasonable annoyance; Board discretion to determine the existence of an activity or item; and reasonable rules adopted in furtherance of the section.

If the Association relies on one of those different theories, I request the following information so that the Board appeal can be meaningfully evaluated:

1. the exact clause being applied;
2. the facts supporting that clause;
3. any actual Board determination made under the section;
4. any delegation authorizing AAM or an individual manager to make that determination;
5. any separately adopted rule being enforced; and
6. why that theory was not stated in the notice.

Board discretion is not self-proving. The Association must identify the theory exercised, the evidence considered, and the relationship between that theory and the retained "Bulk Trash" label. If it clarifies or changes the theory, it should disclose the new basis and permit a meaningful supplement before adverse use.

An Association's covenant interpretation receives no automatic judicial deference. *Johnson v. Pointe Community Ass'n, Inc.*, 205 Ariz. 485, 489–90, ¶¶ 22–26, 73 P.3d 616, 620–21 (App. 2003). If the declaration grants discretion, the Association must still act within that grant, treat members fairly, and exercise its enforcement power reasonably. *Id.* at 490, ¶ 24, 73 P.3d at 621; *Tierra Ranchos Homeowners Ass'n v. Kitchukov*, 216 Ariz. 195, 201–02, ¶¶ 25–27, 165 P.3d 173, 179–80 (App. 2007). I also acknowledge *Tierra Ranchos*'s adverse burden rule: the challenging member must prove breach and, for an action within the Association's discretion, actual or threatened injury. *Id.* at 201, ¶ 25, 165 P.3d at 179. The retained entry and the Fine Policy's repeat-occurrence provision are the threatened injury I identify; disclosure of the actual theory, evidence, decision-maker, and comparison records is necessary to test breach.

D. No Other Governing Provision Has Been Identified

No Design Guideline, separate storage rule, or other governing provision was identified in the notice or Mr. Inskeep's response. (Exhibits A and D.) Two foreseeable alternatives illustrate why a new label would not end the inquiry:

1. Section 10.22 requires certain land to be kept free of "debris" and weeds. Reliance on that provision would still require the Association to identify it and establish why the photographed [redacted] and [redacted] were "debris" rather than materials or items in temporary use.
2. The Design Guidelines address storage of fixtures, furniture, equipment, or other items visible from the Common Area "when not in active use." Reliance on that provision would require proof of each condition, including storage and lack of active use; one point-in-time photograph establishes visibility, not the duration, purpose, or use of the materials.

If the Association relies on either provision or another theory, it should identify the exact text and supporting facts, explain when the theory was selected, and permit me to supplement before adverse use. A later specification may supply information contemplated by A.R.S. § 33-1803(D); it does not supply missing evidence or eliminate meaningful review of a materially different theory.

E. Prompt Cure Was Cooperation, Not an Admission

[redacted] I promptly directed that they be moved rather than leave the condition in place while disputing terminology. The Association's immediate compliance objective was fully achieved.

That cooperation concedes neither the items' classification, unreasonable accumulation, a nuisance or unsightly condition, application of a valid rule, adequacy of the notice, nor adverse retention as a prior violation. Prompt cooperation does not relieve the Association of proving its charge.

F. Retaining the Entry Has Potential Enforcement Consequences

Mr. Inskeep characterized withdrawal as treating the event "as if it did not occur." (Exhibit D.) That is not my position. I dispute the classification of an observed event as proven noncompliance and its retention for adverse use. If the entry is merely neutral history, the Board can confirm that it is not an adjudicated violation and will not serve as a warning, prior occurrence, escalation predicate, or adverse compliance-history item.

The Association's 2024 Fine Policy gives that retained history concrete significance. It states that a warning may make an owner subject to a fine if there is "another occurrence of the same violation within three (3) months." An inaccurate or unadjudicated first-notice entry can therefore be used to characterize a future event as a repeat violation and escalate enforcement.

The Courtesy Notice did not state that another occurrence within three months could subject me to a fine. It therefore does not satisfy the Fine Policy's stated prerequisite for using this event to impose a repeat-occurrence fine. At an absolute minimum, I request that the Board confirm in writing that Compliance No. [redacted]

- is disputed;

- is not an adjudicated violation;
- will not be treated as a prior occurrence or warning;
- will not support an escalated notice, fine, attorney referral, or other enforcement;
- will not be used to label me a repeat violator; and
- will not be reported as adverse account or compliance history to any third party.

Marking the entry merely "Resolved" does not provide those protections.

A.R.S. § 33-1803(B) permits a monetary penalty only "[a]fter notice and an opportunity to be heard." The Courtesy Notice imposed no penalty, so subsection (B) did not prohibit its issuance. But prompt cure did not waive subsection (B), and this disputed entry cannot support a future penalty without the required notice, hearing opportunity, and compliance with the Fine Policy's warning terms.

G. The Notice and Appeal Instructions Are Materially Confusing

The documents present inconsistent and incomplete instructions:

1. The notice requires cure within fifteen days **from the July 22 inspection date**.
2. The notice says an appeal must be received within twenty-one days **of receipt** and says the process "must" be completed at a homeownerresources.com web address.
3. A.R.S. § 33-1803(C) and the Association's own Fine Policy identify a certified-mail response within twenty-one calendar days **after the date of the notice**.
4. The appeal URL printed in the notice does not open an appeal form. When followed on August 1, it redirected to AAM's generic public "Homeowner Resources" page, which presents numerous unrelated services and says only that users may log in or sign up to access HOA forms, including "Compliance Appeals." (Exhibit F.)
5. The redirect destination does not identify Compliance No. [redacted] supply a notice-specific form, explain how to locate or submit an appeal, identify the decision-maker, provide a confirmation procedure, or explain how to appeal an entry already marked "Resolved." (Exhibit F.)
6. AAM's photo-production page separately instructs the homeowner to log in to All Access and review the item under "compliance" to file an appeal. (Exhibit B.)
7. The retained "Resolved" entry in the All Access website and app shows no appeal or dispute control. (Exhibit E.)
8. None of the documents explains whether an appeal tolls enforcement, how a homeowner appeals after AAM marks the item "Resolved," or how an appeal concerning record retention is processed.

A.R.S. § 33-1803(E) provides an additional enforcement restriction when the contest-process information required by subsection (D)(4) was not provided in the notice. In that circumstance, the Association "shall not proceed with any action to enforce the community documents," including collection of attorney fees, before or during the statutory information exchange, and it must provide written notice of the owner's option to petition the Arizona Department of Real Estate for an administrative hearing. The Association may contend that printing an online appeal

URL, or the redirect destination's generic listing of "Compliance Appeals," satisfied subsection (D)(4). I dispute that a link which does not open an appeal form, does not state the steps the member must follow, and ultimately leads to a retained "Resolved" entry with no visible appeal control provides a complete and functional contest process. To the extent the original notice did not adequately provide the subsection (D)(4) process, the Association must comply with subsection (E), refrain from further enforcement during the prescribed exchange, and provide the required ADRE notice.

The notice's URL does not deliver the appeal form it directs an owner to file. It redirects to a general AAM page, requires the owner to find an unidentified form in another system, and ultimately leads to a "Resolved" entry with no visible appeal control. The notice does not explain how to contest that retained record, and an online direction cannot displace the certified-mail response authorized by statute. Homeowners should not have to reconcile inconsistent triggering dates, trace a generic redirect into an authenticated portal, discover that the entry offers no appeal control, infer an omitted statutory route, and identify the covenant theory only after objecting.

The Association's Fine Policy also states that a violation notice shall notify the owner of the "RIGHT OF APPEAL." The policy's "extenuating circumstances" criterion may govern its internal appeal process, but it cannot eliminate my separate right to submit a statutory response under A.R.S. § 33-1803(C) or the Association's duty to provide the information required by subsection (D). A statutory contest disputing whether any violation occurred is analytically different from a request for an exception based on extenuating circumstances. Without conceding that any violation occurred, I also satisfy that internal criterion: [redacted] immediate direction that the materials be moved upon actual notice, correction within approximately ten minutes, absence of an ongoing condition, and absence of identified harm are extenuating circumstances supporting relief under the Association's own process. (Exhibits C and D.)

An Association enforcing rules should follow its own adopted procedure.

H. AAM's Policy and Attorney-Vetting Assertions Do Not Decide Compliance

Mr. Inskeep stated that AAM's documents have been vetted by HOA attorneys. (Exhibit D.) Prior review of a form does not establish that this notice identified the proper provision, that the evidence proves the charge, that AAM followed the adopted procedure, that the retained entry is accurate, or that the Association satisfied its current statutory duties.

AAM's internal procedure cannot create an owner obligation, expand the governing documents, or displace Arizona law. AAM's assertion that withdrawal conflicts with policy does not decide whether the charge is correct; the governing text, evidence, and procedure do.

If the Association relies on an amendment, rule, guideline, or internal policy, it should identify the existing governing authority for that instrument and explain how the asserted restriction remains within that authority.[2] An unidentified AAM policy cannot silently become a new property-use restriction.

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2 Kalway v. Calabria Ranch HOA, LLC, 252 Ariz. 532, 536–39, ¶¶ 10–17, 506 P.3d 18, 22–25 (2022), limits a general amendment power to restrictions for which the original declaration gave sufficient notice. I cite it only against an untethered new restriction, not ordinary enforcement of an existing covenant.

The Legislature has enacted a closely aligned statutory standard. Effective September 12, 2026, A.R.S. § 33-1821 will require an association to exercise discretionary powers reasonably —"neutrally, fairly, without favoritism and in a nonarbitrary fashion." 2026 Ariz. Sess. Laws ch. 125, § 2.[3] I do not apply that statute retroactively to issuance of the July notice. Any discretionary retention, repeat-violation treatment, or other adverse use on or after its effective date must comply with it.

I. Mr. Inskeep's Responses Left the Material Objections Unanswered

My prior correspondence did not merely report cure. It requested withdrawal and challenged classification, specificity, legal basis, deadlines, retention, and uniform enforcement. Mr. Inskeep did not address the exact clause, observer identity, duration evidence, any Board determination or delegated authority under Section 10.16, the shift from "Trash/Bulk Trash" to a broad nuisance citation, future use under the Fine Policy, the conflicting appeal instructions, my request for a Board decision, or consistent enforcement.

A photograph showing physical presence is not an answer to those issues.

The responses also leave unresolved the absence of an appeal control on the retained "Resolved" entry. The comparison-record request remains pending within A.R.S. § 33-1805's production period; this letter does not treat that period as already expired.

J. Timing and Uniform-Enforcement Concerns Require Transparent Review

The timing is conspicuous: the notice followed months of my correspondence concerning the Association's statutory compliance, governing documents, enforcement policies, records practices, and governance. The present record does not establish retaliation or selective enforcement, and I do not ask the Board to decide either issue on an incomplete record. The timing nevertheless warrants transparent review, especially where AAM retained an enforcement-history entry for a condition I caused to be corrected within approximately ten minutes after actual notice.

[redacted] I will compare the requested enforcement records against that evidence to assess consistent administration while accounting for visibility, observation timing, duration, notice history, and opportunity to cure.

The Association should preserve all responsive records and be prepared to explain any material disparity. I reserve all rights concerning arbitrary or selective enforcement, waiver, abandonment, unequal treatment, and retaliation after the record is produced. This reservation is not an accusation that the presently incomplete evidence has already proved each claim.

Another owner's conduct does not automatically excuse an otherwise proven violation. The comparison evidence instead bears on whether discretionary enforcement was administered fairly and reasonably. *Tierra Ranchos Homeowners Ass'n v. Kitchukov*, 216 Ariz. 195, 201–02, ¶¶ 25–28, 165 P.3d 173, 179–80 (App. 2007); *College Book Centers, Inc. v. Carefree Foothills Homeowners' Ass'n*, 225 Ariz. 533, 541, ¶ 26, 241 P.3d 897, 905 (App. 2010). *College Book Centers* enforced a non-waiver clause for the HOA, but expressly recognized that fairness and reasonableness constrain selective enforcement. *Id.* That is the limited purpose for which I cite it.

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3 A.R.S. § 33-1821 becomes effective September 12, 2026 and is cited prospectively, not as governing issuance of the July notice.

IV. Statutory Explanation and Board Findings Required

Within ten business days after receipt of this certified letter, please provide the written explanation required by A.R.S. § 33-1803(D), including every item not previously provided:

1. The provision or provisions of the community documents allegedly violated.
2. The date of the alleged violation or the date it was observed.
3. The first and last name of every person who observed it.
4. The process I must follow to contest the notice.

Separately, to clarify that explanation and permit meaningful consideration of the Board appeal, please also identify:

5. The exact subsection, sentence, clause, and enforcement theory relied upon.
6. The date and time of each observation.
7. The exact functional appeal URL; complete written navigation and submission steps; any required credentials and form; the decision-maker; whether a hearing is available; all applicable deadlines; whether enforcement is stayed; how submission is confirmed; and how a retained "Resolved" portal entry may be appealed. If no functional appeal mechanism was available for Compliance No. [redacted] please state that expressly.

As part of the Board appeal, please also answer and make findings on the following:

8. Whether the Association contends the materials were (a) trash, (b) bulk trash, (c) rubbish, (d) debris, (e) prohibited storage, (f) a nuisance or unsightly item, or (g) something else, and the facts supporting the selected classification.
9. If Section 10.16's rubbish-or-debris clause is relied upon, when the alleged accumulation began, how long it continued, why that duration was unreasonable, and what evidence supports each finding.
10. If another clause of Section 10.16 is relied upon, the precise clause and facts supporting it.
11. If Section 10.22, the Design Guideline concerning items visible from the Common Area when not in active use, or any separate rule is relied upon, the exact provision, its effective date, the evidence that each element was met, and why it was not stated in the original notice.
12. Whether the Board made a discretionary determination under Section 10.16; if so, the date, form, and substance of that determination.
13. If AAM or management made the determination, the source and scope of the delegated authority.
14. Who selected the "Trash," "Trash - Bulk Trash," and "Bulk Trash" classifications, and whether those labels reflect one theory or different theories.
15. Who authorized issuance of the notice, who decided to retain it after cure, and who changed the status to "Resolved."

16. The specific Association-management or AAM policy Mr. Inskeep relied upon when refusing withdrawal, whether the Board adopted or approved it, and how it applies here.
17. Whether Compliance No. [redacted] may be used as a prior warning, occurrence, repeat violation, escalation predicate, or adverse compliance-history item in any future matter.
18. Why the Association believes one point-in-time photograph proves the charged violation rather than only the presence of materials at the time photographed.
19. Whether the initial notice was also sent by postal mail as contemplated by the Association's Fine Policy, and, if so, the mailing date and method.
20. Whether Exhibit B contains every photograph and all substantive evidence on which AAM or the Board relies; if not, identify and produce the additional evidence before the appeal is heard.

Counsel may transmit the Association's response, but a generic statement that counsel reviewed AAM's forms will not satisfy these requests or constitute a Board decision on this appeal. Please answer each numbered item separately or identify the specific produced record that supplies the answer.

V. New and Independent Records Request Under A.R.S. § 33-1805

This is an additional request under A.R.S. § 33-1805 and restates the outstanding July 28 request. (Exhibit D.) The period for previously requested records runs from actual receipt of that request; the period for newly requested categories runs from receipt of this letter. Referral to counsel does not alter either period.

Section 33-1805(A) gives the Association ten business days to make records available or provide requested copies. Subsection (B) covers records kept "by or on behalf of" the Association and Board; Association-business records are not excluded merely because AAM created, stores, or controls them. I seek electronic copies of existing records in their native or ordinary electronic format, not creation of a new report or analysis.

The specific records requested are set out in Schedule A, which is incorporated into this letter as if stated here in full.

VI. Preservation of Records

Please preserve all paper and electronically stored Association business information potentially relevant to this matter, including native photographs and metadata, portal and audit logs, inspection records, communications, text messages, emails, mobile-app data, complaint records, route data, and any records subject to routine deletion or overwriting. This request includes Association-business communications or records within the possession or control of AAM, Association contractors, Board members, committee members, and other agents acting for the Association.

VII. Relief Requested From the Board

I request that the Board:

1. acknowledge and docket this letter as my timely statutory response, contest, and formal appeal;
2. schedule and hear this appeal in open session pursuant to my express request under A.R.S. § 33-1804(A)(5), provide advance notice and an agenda, and allow me to speak after discussion and before formal action;
3. direct AAM immediately to mark Compliance No. [redacted] **DISPUTED - APPEAL PENDING** rather than simply "Resolved";
4. grant the appeal and vacate and withdraw the Courtesy Notice because the present record does not establish the charged "Trash/Bulk Trash" violation;
5. remove the notice and violation determination from my adverse compliance or violation history;
6. correct the inaccurate "Trash," "Trash - Bulk Trash," and "Bulk Trash" classifications wherever they appear;
7. confirm that the notice will not be used as a prior warning or occurrence, a basis for repeat-violation treatment, escalation, a fine, an adverse enforcement referral, assessment of attorney fees or costs, account-status reporting, disclosure, or any other adverse purpose;
8. confirm that no fine, fee, charge, cost, or further enforcement will arise from the July 22 condition or this disputed notice, absent a new event and a legally sufficient new notice;
9. provide the statutory written explanation and records requested above within the applicable ten-business-day periods; and
10. issue a written decision of the Board identifying the evidence reviewed, the precise provision and theory considered, the Board's material findings, the disposition of each requested item of relief, the vote or other formal action taken in open session, and the date of the Board's action.

For avoidance of doubt, I have not requested deletion or destruction of the photograph, correspondence, or a neutral audit trail showing that the matter was reported and contested. I request that the Board vacate and withdraw the violation determination, correct the inaccurate classification, and prevent adverse or escalation use of the disputed matter.

Any neutral administrative record retained to document issuance and contest of the notice should be segregated from my adverse compliance or violation history and permanently annotated:

> **CONTESTED AND WITHDRAWN - NO VIOLATION DETERMINATION - PROMPTLY CURED WITHOUT ADMISSION - NO ADVERSE OR ESCALATION USE.**

That treatment preserves the historical facts without falsely presenting the matter as a valid or adjudicated "Bulk Trash" violation. It is not consent to continued display of the matter as a resolved violation.

If the Board denies any part of this appeal, please provide a functional means and date for any hearing or further internal review; the exact evidence, provision, clause, and findings supporting denial; the vote or other record of Board action; and confirmation that the complete record has been preserved.

I request an answer reflecting the Board's decision, not merely AAM's position. Management or counsel may transmit the response, but the response should identify when and how the Board considered and decided the appeal. Please do not administratively close or declare this contest moot merely because the physical condition was promptly cured or AAM selected the portal label "Resolved."

After receiving the statutory explanation and records, I reserve the right to supplement this timely contest and Board appeal to address the complete record and any additional deficiencies revealed by production. This reservation does not extend the twenty-one-day statutory period, postpone present review, or replace the grounds stated in this letter.

Nothing in this letter waives any statutory, contractual, equitable, administrative, or other available right or remedy, including, to the extent this dispute falls within the Arizona Department of Real Estate's statutory jurisdiction, the right to petition for a hearing under A.R.S. § 32-2199.01. Any statement in an internal policy that a Board decision is "final" does not waive rights or remedies provided by Arizona law. All such rights are expressly reserved.

Please confirm receipt and docketing promptly.



Attachments

Schedule A - Records Requested Under A.R.S. § 33-1805
Exhibits A-F

Exhibit Index

Exhibit A. Courtesy Notice dated July 23, 2026 (original PDF contains two duplicate pages)

Exhibit B. AAM Compliance Photos, Violation ID [redacted] (downloaded July 30, 2026; embedded photograph timestamped July 22, 2026)

Exhibit C. July 24, 2026 compliance photographs

Exhibit D. Complete July 24–July 30, 2026 email chain, including the homeowner's initial response and compliance submission, Mr. Inskeep's response confirming closure and citing Section 10.16, the July 28 contest and records request, and Mr. Inskeep's latest response acknowledging the contest and refusing withdrawal

Exhibit E. July 30, 2026 All Access website and mobile-app screenshots showing the retained "Resolved" compliance entry and absence of an appeal control

Exhibit F. August 1, 2026 capture of the generic AAM "Homeowner Resources" page to which the appeal URL printed in the Courtesy Notice redirected

Schedule A - Records Requested Under A.R.S. § 33-1805

This Schedule A is incorporated into Section V of my August 1, 2026 Formal Statutory Contest and Appeal. It requests existing Association records in their existing native or ordinary electronic format and does not require the Association to create a new report or analysis.

A. Complete File for Compliance No. [redacted]/[redacted]

Please produce:

1. The original/native July 22 photograph, including all available EXIF data, metadata, original filename, creation and modification data, geolocation data, and chain-of-custody information maintained by AAM or the Association.
2. Every other photograph, video, screenshot, thumbnail, or derivative image concerning the alleged condition, whether or not previously disclosed.
3. Every inspection note, field note, route sheet, inspection log, checklist, report, complaint, referral, work order, witness statement, reinspection record, cure record, and closure record concerning the property or this compliance entry.
4. Records identifying the date, time, location, and vantage point of each observation and photograph.
5. Records showing who observed, photographed, reported, classified, reviewed, approved, issued, transmitted, reinspected, resolved, retained, or otherwise acted on the matter.
6. The complete account/compliance-system record and audit history for Compliance No. [redacted] including creation, edits, notes, status changes, field changes, user identifiers, timestamps, and deletion or retention settings.
7. All nonprivileged communications from June 23, 2026 through the date of production among AAM personnel, Board members, committee members, contractors, or other agents concerning my property, the alleged condition, the notice, my responses, the contest or appeal, the records requests, withdrawal, record retention, or future use of the entry.
8. All notices, correspondence, delivery records, mailing records, email logs, portal notifications, attachments, and internal notes concerning this matter.
9. All records of any Board or management review, finding, vote, direction, authorization, ratification, or determination concerning this matter.

B. Governing Authority, Procedures, Classification, and Retention

Please produce:

10. Every governing-document provision, rule, resolution, schedule, enforcement matrix, written standard, policy, procedure, checklist, or guidance relied upon or considered in issuing, classifying, defending, resolving, retaining, or potentially reusing this notice.
11. Every version in effect during July 2026 of the Association's violation-notice procedure, Fine Policy and Appeal Process, enforcement policy, inspection policy, appeal procedure, record-retention policy, and repeat-violation or escalation policy.
12. The policy or procedure Mr. Inskeep described as "Association management as well as AAM policies and procedures," together with records showing whether and when the Board adopted, approved, incorporated, or authorized its use.

13. All nonprivileged inspector instructions, training materials, category definitions, code lists, decision trees, and examples maintained for, supplied to, or actually relied upon by this Association concerning "Trash," "Bulk Trash," "Trash - Bulk Trash," rubbish, debris, nuisance, unsightly conditions, temporary materials, construction materials, [redacted] and exterior storage.
14. Records showing who has authority to make determinations under Section 10.16 and any resolution, contract provision, delegation, or written authorization granting that authority to AAM, a manager, an inspector, or another agent.
15. Records showing Board adoption or approval of the notice form, the homeownerresources.com appeal URL and redirect destination, the login or sign-up route, the Compliance Appeals form, the All Access appeal process, and any policy governing removal, correction, annotation, or retention of disputed compliance entries.
16. Nonprivileged records showing the date and scope of any compliance review, functionality test, approval, change, outage, or known limitation concerning the notice form, the printed appeal URL, its redirect destination, the Compliance Appeals form, or the All Access appeal procedure on which the Association intends to rely. I am not requesting privileged attorney-client communications; I am requesting the nonprivileged operative forms, policies, approvals, dates, tests, changes, and actions.

C. Comparison and Uniform-Enforcement Records

For the period **June 23, 2026 through August 1, 2026, inclusive**, please produce:

17. To the extent nonexempt, every courtesy notice, warning, compliance notice, violation notice, repeat-violation notice, hearing notice, fine notice, or similar enforcement communication issued or prepared by or for the Association.
18. To the extent nonexempt, the associated existing compliance records, inspection records, photographs, descriptions, observation dates and times, notice dates, categories, provisions cited, statuses, cure or reinspection dates, appeal dispositions, escalation steps, and fines for those matters.
19. All inspection-route records, field logs, photographs, notes, and compliance decisions from the July 22, 2026 inspection during which my property was photographed, including existing records of observed properties for which no notice was issued.
20. Existing reports or logs showing how many matters were classified as Trash, Bulk Trash, Trash - Bulk Trash, rubbish, debris, nuisance, unsightly condition, temporary materials, construction materials, or exterior storage during the requested period.
21. To the extent nonexempt, existing records sufficient to identify the property or lot associated with each enforcement record so that enforcement can be compared with observable conditions.

D. Board Meeting Minutes and Meeting Packets

For the period **January 1, 2026 through August 1, 2026, inclusive**,[4] please produce:

22. All minutes for every regular, special, emergency, annual, or other meeting of the Board of Directors during the requested period, including approved minutes and any existing draft or unapproved minutes.

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4 "Current date" means August 1, 2026. For any exempt minute or packet material, I request the reasonably redacted, nonexempt remainder.

23. Every Board meeting packet, agenda packet, director packet, or substantially similar compilation that AAM prepared, assembled, transmitted, uploaded, or otherwise provided to any member of the Board of Directors during the requested period, including all attachments, exhibits, management reports, financial materials, compliance or enforcement reports, correspondence, proposed resolutions, draft minutes, and other materials included in or distributed with the packet.

A responsive portion may be withheld only to the extent an exemption in A.R.S. § 33-1805(B) or (C) applies. Please produce all nonexempt portions and, where feasible, redact exempt material rather than withholding the remainder. If the Association contends that a property address or lot identifier is exempt, please produce the remaining record using an existing stable anonymized identifier, or one that can be preserved through reasonable redaction without creating a new record, so entries concerning the same property can be matched. As an aid to evaluating the production, I request that the Association identify each withheld record or category, its date, and the statutory basis asserted for withholding.

Please do not delay undisputed, nonexempt records while counsel reviews other categories. If no responsive record exists for a numbered request, please state that no responsive record was located rather than leaving the item unanswered. If only part of a record is withheld, please produce the remainder.

Please notify me before incurring any copying charge. Electronic production is preferred.