

September 1, 2026 - Email from Sean Moynihan

Date: September 1, 2026

From: Sean Moynihan

To: [Owner]

Cc: Kim Ferguson; Lisandra Ruiz

Subject: RE: [Matter reference redacted] / Santa Rita Ranch III HOA / [Owner]: Deficient August 28 Response; Unresolved A.R.S. § 33-1805 Production

Personal identifiers and protected personal details have been removed. This is a text rendering, not the raw email. Statements are the correspondents' positions, not adjudicated findings.

[Owner],

In response to your latest letter, the Association reviewed its records once again and located copies of the agendas and meeting minutes you requested for the year through August. Attached are the agendas. The minutes will be forthcoming tomorrow. Executive session minutes will be withheld pursuant to A.R.S. § 33-1805(B)(3). As previously advised, the Association has reviewed the requests you made to examine records and determined all other responsive non-exempt Association records it has were already made available to you, including the Association records that are held by AAM as its custodian of records. We have previously explained what kind of documents constitute Association records.

I also understand the violation you are complaining about is closed. Regardless, there is nothing in the governing documents that requires the Association to hold a hearing at an owner's request. The Association's enforcement policy only provides for written appeals. Because the violation is closed and resolved, the Association will not expend its scarce volunteer time and resources to conduct a hearing that is not provided for in the governing documents.

Lastly, we do not understand your ongoing concerns about an accommodation under the Fair Housing laws. You asked that the records be produced in a manner that does not require you to attend an in-person conference to review them. The Association fulfilled this request when it sent the copies of the records to you via email, as it is doing once again here and will do again tomorrow. The Association has not asked you to review documents in-person since the request was fulfilled. The Association has never denied a reasonable accommodation properly requested. If you believe the Association did not fulfill your request in some way, please explain in more detail what part of the request you believe it did not fulfill.

From the Association's perspective all of these matters will be closed and resolved upon delivery of the minutes tomorrow. It will therefore not respond, nor have our office respond, to any additional correspondence from you pertaining to these matters, except for any further dialogue you may

have about the accommodation request. You should otherwise expect that any further attempts to address these same issues again will be rejected without acknowledgment or response.

Best regards, Sean

[Inline image omitted] 2940 North Swan Road, Suite 212, Tucson, AZ 85712 5010 East Warner Road, Suite 203, Phoenix, AZ 85044 smithwamsley.com Sean K. Moynihan Partner | SMITH + WAMSLEY | Bio Direct 520.492.9911 | sean@smithwamsley.com The information in this email is intended solely for the individual or entity named herein. Reply "STOP" if you wish to no longer receive emails from this email address.

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