

RANCHO VISTA HOMEOWNERS ASSOCIATION

FINE POLICY AND APPEAL PROCESS

Effective 12/01/2007

FINE POLICY

The following Fine Policy and Appeal Process shall be followed for Rancho Vista Homeowners Association:

FIRST NOTICE: An initial notice of the violation shall be mailed to the Homeowner requesting compliance within twenty-one (21) days - **NO FINE**.

SECOND NOTICE: If violation still exists, a second notice requesting compliance within twenty-one (21) days shall be mailed to the Homeowner. A **\$25.00 FINE** will be assessed with the second notice and is due immediately.

THIRD NOTICE: If violation still exists, a third notice requesting compliance within twenty-one (21) days shall be mailed to the Homeowner. A **\$50.00 FINE** will be assessed with the third notice and is due immediately.

FOURTH NOTICE: If violation still exists, a fourth notice requesting compliance within twenty-one (21) days shall be mailed to the Homeowner. A **\$50.00 FINE** will be assessed with the fourth notice and is due immediately.

CONTINUING VIOLATIONS: If the violation continues without resolution after the third notice, a **FINE of \$100.00** shall be assessed **every twenty-one (21) days** until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the Homeowner and collected in the same manner as assessments.

FINES: No fine shall be imposed without first providing a written warning to the Homeowner describing the violation and stating that failure to correct the violation within twenty-one (21) days or ***another recurrence of the same violation within six (6) months*** of the most recent violation shall make the Homeowner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Homeowner to the same potential penalties and enforcement as failure to pay any assessments under Article 6 of the CC&Rs.

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

APPEAL PROCESS

- When a violation notice is sent to a Homeowner, such notice shall include a statement notifying the Homeowner that he/she has the “RIGHT OF APPEAL.”
- When a Homeowner desires to appeal a violation, he/she must so notify the Management Company in writing within ten (10) days after the date of the violation notice.
- Appeals shall demonstrate ***extenuating circumstances*** which require deviation from the CC&Rs and/or guidelines.
- 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 Homeowner appealing the violation will be given written notice that a hearing on 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 applicable documentation.
- 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. Written Notice of the Board’s decision will be delivered to the Homeowner within seven (7) working days.
- If the appeal is denied, the Homeowner must bring the violation into compliance within twenty-one (21) days. If the violation still exists after twenty-one (21) days, the Homeowner will be fined \$100.00 every twenty-one (21) 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.

**CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
Rancho Vista Homeowners Association
c/o AAM, LLC
7740 N. 16th Street, Suite 300
Phoenix, AZ 85020**

The undersigned, constituting the majority of the members of the Board of Directors of Rancho Vista Homeowners Association, Inc. an Arizona Nonprofit corporation, hereby take the following action at a duly held Board of Directors meeting.

RESOLVED that for the Rancho Vista Homeowners Association, the Board of Directors hereby approves the attached Fine Policy and Appeal Process for Rancho Vista Homeowners Association.

The Board of Directors hereby instructs the managing agent to notify all Homeowners of the implementation of the Fine Policy and Appeal Process effective as of 12/01/2007.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this _____ day of _____ 2007.

Sean Thompson
President, Board of Directors