

# **PORTOFINO HOMEOWNERS ASSOCIATION ACTION BY THE BOARD OF DIRECTORS**

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**July 23, 2010**

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Pursuant to the authority contained in the Arizona Revised Statutes and the governing document of the association, the Board of Directors of the Portofino Homeowners Association Inc. hereby adopts the following resolution by Action in Lieu of Meeting unanimous consent for and as the actions of the Portofino Homeowners, as of the date set forth above:

**RESOLVED**, to adopt the following.

Fine schedule and policy for violations of the CC&R's and Rules and Regulations as may be adopted or modified from time to time by the Board of Directors for the Portofino Homeowners Association.

**DATED** as of the 23<sup>rd</sup> day of July 2010.

**Violations** will be cumulative for the fiscal year. Beginning April 1.

1. First reminder/warning letter giving 10 business days to comply.
2. Second reminder/warning letter giving 10 business days to comply.
3. Third letter stating fine in the amount of \$50.00, giving notice to owner that they have a right to a hearing and must contact the manager for date and time. 10 business days to comply.
4. Fourth letter stating subsequent fine of \$75.00 for continuing violations. Letter to state total fines assessed as of the subsequent violation. 10 days to comply.
5. Fifth letter stating subsequent fine of \$100.00 for continuing violations. Letter to state total fines assessed as of the subsequent violation. 10 days to comply.
6. Sixth and all letters thereafter stating subsequent fine of \$125.00 for continuing violations. Letter to state total fines assessed as of the subsequent violation. 10 days to comply.
7. Subsequent non-compliance: Upon board approval the Association will seek relief of violations through the Association Attorney and the Court System. All cost will be a part of the judgment that is being sought.

**Violations** that threaten the health, safety and welfare of homeowners and residents, such as drug use and sales, discharging firearms, arson, vandalism and any other violation that the Board deems to be of an egregious nature will be fined at \$250.00 per occurrence.

**Procedures:**

1. Homeowners will be notified by mail of all violations
2. The homeowner has the right to a hearing before the Board or Violations Committee where decisions of the Board are final.
3. Board will direct Management Company, as to waiving or assessing of fines at each hearing or board meeting and for all pending fines and/or legal action with the Association's Attorney.