

HIGHLINE RANCH HOMEOWNERS ASSOCIATION

RULES AND REGULATIONS CC&R VIOLATION AND ENFORCEMENT POLICY

This Enforcement Policy for monetary violations is adopted in accordance with Arizona's Planned Communities Act, Arizona Revised Statutes 33-1801 through 33-1807 (Supp. 1997) and the provisions of the Covenants, Conditions and Restrictions (CC&Rs), Design Guidelines, and Association Rules of Highline Ranch, as currently in force and effect.

Policy

It is the policy of the Highline Ranch Homeowner's Association (HOA) to notify residents in a timely fashion of violations of the CC&Rs, Design Guidelines, and Association Rules and to assess appropriate monetary penalties if the violations are not corrected within the allotted time period. Monetary penalties and correction periods are given in Table 1: Schedule of Monetary Penalties.

Notification Method

All penalty notices will be sent via regular or certified mail. If a certified letter is required, the certified letter processing fee of \$15 will be added to any violation penalties.

Opportunity To Be Heard

The HOA recognizes each Owner's right to explain the reasons why there is a violation of the CC&Rs, Design Guidelines, or Association Rules, particularly if the violation results in a monetary penalty. Before any penalty is assessed, an Owner has the opportunity to request a hearing before the Board of Directors. The Owner must provide a timely written request for a hearing. If the hearing is scheduled, the Owner is bound by the decision of a majority of the Board.

Procedures

First Notice

A First Notice describing the violation will be sent to the Owner of the property. If the Owner of the property can be identified as an absentee Owner, a copy of the First Notice will also be sent to the tenant at the property address. If the absentee Owner employs a rental management company, a copy of the First Notice will also be sent to that company. The First Notice notifies the Owner that a monetary penalty will be imposed if the violation is not corrected or is repeated within the correction period allowed for the described violation.

Second Notice

If the violation has not been corrected or is repeated or has returned within the correction period, a Second Notice will be issued. The Second Notice will notify the Owner that the Initial Penalty has been assessed to their account. It will also state that a Second Penalty will be assessed if the violation is not corrected within the given correction period.

Third Notice

If the violation has not been corrected or is repeated within the second correction period, a Third Notice will be issued. The Third Notice notifies the Owner that the first Ongoing Penalty has been assessed to their account. Continued violation will result in the assessment of additional Ongoing Penalties, as well as legal action and legal costs against the Owner at the discretion of the Board of Directors.

Repeated Violations

If the same violation recurs within two years, penalties will be assessed from the date of the original First Notice.

Exception to Notice Procedure

Violations posing a threat to the health, safety, and welfare of the community as a whole or any one or more other Owners may require immediate action and thus create exceptions to the foregoing notice provisions. Examples of health, safety, and welfare violations include, but are not limited to, the following: accumulation of trash and/or other materials that may attract pests; threat of flood or fire damage to neighboring properties; an escaped pet; or a collapsed structure or tree blocking the road or drivers' lines of vision.

Right of Self-Help

The HOA has the right (but not the obligation) to enter the Owner's property and to provide all maintenance and repairs that are necessary to remove the violation. Entry by the HOA and any of its agents is not an actionable trespass. The HOA may assess the Owner for the costs of all maintenance and repairs performed by the HOA.

TABLE 1: SCHEDULE OF MONETARY PENALTIES

Violation*	CC&R Section	Correction Period (calendar days)	Initial Penalty	Second Penalty	Ongoing Penalty
House Painting	7.2	30	\$100	\$200	\$400
Irrigation System Leak					
Summer (May 1 – Oct. 31)	7.2	5	\$50	\$100	\$200
Winter (Nov. 1 – Apr. 30)	7.2	10	\$25	\$50	\$100
Landscape Maintenance	7.2	7	\$25	\$50	\$100
Vehicle Parking:					
Resident Vehicle on Street	3.18.3	7	\$25	\$50	\$100
Commercial Vehicle on Street	3.18.1	7	\$100	\$200	\$400
RV or similar on Street	3.18.1	7	\$100	\$200	\$400
Inoperable Vehicle	3.18.1	7	\$100	\$100	\$100
Vehicle Repair	3.18.2	7	\$25	\$50	\$100
Trash Containers	3.7	7	\$25	\$25	\$25
Signs/Holiday Lights	3.16	7	\$25	\$50	\$100
Items in View	3.8	7	\$25	\$50	\$100
Animals	3.14	7	\$25	\$50	\$100
Basketball Facilities	3.9	7	\$25	\$50	\$100
Nuisances	3.3	7	\$25	\$50	\$100
Failure to Report Rental Properties	3.23	10	\$100	\$100	\$100
Failure to Submit Modification Request Prior to Performing Work	3.1.2	7	\$50	\$100	\$200

*The Board of Directors reserves the right to identify and set penalties for other types of violations. See Association Rules, Design Guidelines, and CC&Rs for more detailed descriptions of violations.

APPROVED
HOA Board of Directors regular meeting, September 19, 2019

Revision Log

2019-09-20: Per decision at Board meeting 09/19/2019, changed Correction Period from 0 days to 7 days for Failure to Submit Modification Request Prior to Performing Work.