

**HILLCREST BAY INC. HOMEOWNERS ASSOCIATION  
NON-COMPLIANCE & VIOLATION PROCEDURE & POLICY  
ADOPTED MAY 17<sup>TH</sup>, 2023**

The Board of Hillcrest Bay Inc. Homeowners Association, Inc. hereby adopts the following procedure and policy for noncompliance and violations of Articles, By-Laws, CC&R's, Rules & Regulations, and the Architectural Guidelines and Rules:

**STEP 1:**

All Owners found in noncompliance or violation will receive written notice of the noncompliance and/or violation mailed to their address of record. The Lot Owner will be given sixty (60) days from the date of the first written violation notice date to correct the violation and bring their Lot into compliance. The first written violation notice will contain the following:

- a) Detail of violation
- b) Detail of correction action required
- c) Notice that the Lot Owner has a right to request a hearing by notifying the Board of Directors in writing within sixty (60) days of the date of the violation notice, otherwise such right is waived. Notice that the Lot Owner has a right to appeal to the Dept. of Real Estate in accordance with ARS 32-2109.01.
- d) If available, a picture of the violation will be attached to the violation notice.

**STEP 2:**

Upon failure to correct the noncompliance or violation within sixty (60) days from the first violation notice date, the Association will issue the Lot Owner a second violation notice that includes a fine in the amount \$100.00. The Lot Owner will then be given an additional 30 days from the date of the second violation notice to correct the violation and pay the fine.

**STEP 3:**

Upon failure to correct the noncompliance and/or violation within 30 days from the date of the second violation notice the Board of Directors, at its discretion, will proceed with either of the following:

- a) Continue to Fine the Lot Owner every 30 days until Lot Owner is in compliance.

**OR**

- b) Hire a contractor/services to correct the noncompliance or violation at the expense of the Lot Owner.

**OR**

- c) Turn the matter over to the Association's Attorney to proceed with all legal means available to force compliance at the expense of the Lot Owner.

All fines issued will remain on Lot Owner's account until paid in full. Lot Owner is responsible to pay all late fees, interest, collection fees, and attorney fees incurred as a result of failure to cure violation and pay fines.