

SAND FLOWER COMMUNITY ASSOCIATION

ENFORCEMENT POLICY

EFFECTIVE MARCH 1, 2021

Violations Enforcement Policy and Procedures

Policy

It is the policy of the association to remedy specific violations of the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements (CC&Rs) and Association Rules using enforcement procedures that will protect property values and quality of life while respecting the dignity and rights of all Sand Flower residents.

Procedures

The Managing Agent will conduct inspections every two weeks of Sand Flower and will review any noted violations with the designated member of the Board. If it is determined that an owner is in violation, an initial violation letter will be sent to the owner pursuant to the requirements of Arizona Revised Statutes. A.R.S 33-1803 requires Sand Flower Community Association ("Association") to give the homeowner written notice before enforcing the provisions of the Association's documents regarding the "condition of the owner's property." The Association must include the following information in the initial violation notice before the Association can take enforcement action:

1. The provision of the documents that has allegedly been violated;
2. The date of the violation or the date the violation was observed;
3. The Managing Agent or first and last name of the person or persons who observed the violation; and
4. A **description** of the process the Owner must follow to contest the notice.

The owner has ten (10) calendar days to remedy the referenced violation. If the owner would like to request a hearing with the Board of Directors to contest the fine and violation, written notification must be given to the Managing Agent within twenty-one (21) calendar days. The Board of Directors will then be able to discuss the issue at the next meeting. If an owner fails to present a written response within twenty-one (21) calendar days of the date of the letter, the owner waives the right to make any further objections.

If the owner fails to remedy the violation within the time allotted, the owner will receive a second violation with notice of fine. If there is a reoccurrence of the same violation within **six months** of the most recent violation, the violation will be treated as a continued violation.

Notices

- (1) **First Notice:** Written courtesy notice will be mailed via regular mail, with request to correct the violation in ten (10) calendar days or ask for a hearing within twenty-one (21) calendar days.
- (2) **Second Notice:** If a violation still exists, a second notice of violation will be mailed via regular and certified mail and advise that a fine in the amount set forth in the fine schedule below has been imposed and that the violation needs to be corrected within ten (10) calendar days.

- (3) **Third Notice:** If a violation still exists, a third notice of violation will be mailed via regular and certified mail and advise that a fine in the amount set forth in the fine schedule below has been imposed and that the violation needs to be corrected within ten (10) calendar days.
- (4) **Fourth Notice:** If a violation still exists, a fourth notice of violation will be mailed via regular and certified mail and advise that a fine in the amount set forth in the fine schedule below has been imposed and that the violation needs to be corrected within ten (10) calendar days.
- (5) **Continuing Violations (continuing or reoccurrence within a six (6) month period):** If there is a continuing violation or reoccurrence within a six (6) month period of a prior violation, a subsequent notice will be mailed via regular and certified mail and advise that a fine in the amount set forth in the fine schedule below has been imposed and that fines will continue to be imposed until the violation is corrected.
- (6) **Attorney:** The Board of Directors reserves the right to send a homeowner to the Association's attorney for an enforcement violation at any time during the enforcement process.

Enforcement Fine Fee Schedule

Second Notice of Violation	\$25.00 Fine
Third Notice of Violation	\$50.00 Additional Fine
Fourth Notice of Violation	\$100.00 Additional Fine
Violations Thereafter	\$100.00 Additional Fine

Revised and adopted by the Board of Directors on January XX, 2021.