

Addendum 4: Mid Valley Air Park Property Owners Association Compliance Procedure

Purpose: To ensure compliance with the Association's Governing Documents (including the Articles of incorporation; By-Laws; Covenants, Conditions, and Restrictions [CC&Rs]; and Association policies) and the laws of the State of New Mexico, and to maintain, preserve, enhance, and protect the property values and assets of the community.

1. Any member/owner of property in Mid Valley Air Park wishing to file a complaint against another or bring an alleged violation of Covenants, or Bylaws to the Board of Directors is encouraged to first contact the owner incurring the alleged violation. If a satisfactory resolution of the alleged violation cannot be accomplished by neighbor-to-neighbor discussion or if the member/owner is not comfortable contacting the alleged violator member/owner, a member may move the complaint to the next step as follows.

2. A written and dated complaint of alleged violation of Covenants, or Bylaws may be brought to a member of the Bylaws and Covenants Committee (B, CC&Rs). The Committee member receiving the complaint will inform the full Committee by providing a copy of the complaint to each Committee member. The B, CC&Rs Committee will investigate the alleged violation and bring a recommendation specifying the provision of the governing documents which applies to the alleged non-compliance, the date the issue was observed by the MVAPPOA Complainant, and proposed actions required to correct the alleged violation to the Board of Directors, MVAP POA within fourteen (14) calendar days of receipt of the written complaint. If the B, CC&Rs Committee determines that a violation has occurred, the MVAP POA Board will vote on moving the recommendation to the next step. The vote shall take place at or before the next scheduled Board meeting as determined by the Board President.

2.1 Evaluation Criteria 1: Valencia County Ordinance and Codes (RESERVED)

2.1 Evaluation Criteria 2: State Laws and Codes (RESERVED)

2.3 Evaluation Criteria 3: Violations agreed to by MVAPPOA Membership (RESERVED)

3. A member(s) of the MVAP POA Board of Directors shall contact the owner incurring the violation. If a satisfactory resolution of the violation cannot be accomplished by Board-to neighbor discussion the Board of Directors may move the complaint to the next step.

4. The owner shall be advised in writing with a Courtesy Notice of Non-Compliance The owner will be given fourteen (14) calendar days to achieve compliance.

5. If the owner does not comply with the request in the Courtesy Notice of Non-Compliance, the Association will refer the matter to Legal Counsel specifying the provision of the governing documents which applies to the alleged non-compliance, the date the issue was observed, and proposed actions required to correct the alleged violation, and steps taken by the Board to correct the violation. The Board will request that Legal Counsel send a First Notice of Non Compliance. The Notice will specify the provision of the governing documents which applies to the non-compliance, the date the issue was observed, amount of the monetary penalty (see fine schedule), and the process the owner must follow to contest the Notice, and right to be heard. Levied fine will incur legal and administrative fees or costs in efforts to collect said fines. Any reasonable legal fees and collection costs will be sought in addition to the fine amount. Fine amount shall bear interest at one percent (1%) per month from date of notice forward unless paid within 14 days.

5.1 The owner will be given fourteen (14) calendar days from First Notice of Non-Compliance to correct the non-compliance. Owner may contest the Notice by sending a letter by mail to Legal

Counsel setting forth their position to be received by the Association within fourteen (14) calendar days of the date of the First Notice of Non-Compliance.

6. If after fourteen (14) calendar days of sending the First Notice of Non-Compliance, the owner does not comply, and has not filed a request to be heard, the Association will send, through Legal Counsel to the owner, a Second Notice of Non-Compliance which will specify the amount of the monetary penalty (see Fine Schedule).

7. If, after fourteen (14) calendar days of sending the Second Notice of Non-Compliance, the owner does not comply, the Association will send, through Legal Counsel to the owner, a Final Notice of Non-compliance, which will specify the amount of the monetary penalty (see fine Schedule), file a lien on the property for the monetary penalty, and/or turn the matter over to Legal Counsel for legal action.

8. If an owner does not comply beyond that set forth in step 4. above, the Association may enforce further action to include increased fines and or legal action.

9. At any time after Final Notice, the Association may turn the matter over to Legal Counsel for legal action as identified in the Bylaws or specified and allowed by the laws of the State of New Mexico.

10. Any violations of requirements as defined in Articles XIII PLANS APPROVAL, and Article XIV CONSTRUCTION RESTRICTIONS of the MID VALLEY RESIDENTIAL COVENANTS that fall under the purview of the Architectural committee, and are subject to approval by the Board, shall result in an immediate cease and desist order being issued through Legal Counsel.

Policy modified and Adopted by the MVAP POA Board September 2, 2025

Signed by MVAP POA President

An HOA exists to make sure a community looks and operates exactly as its residents expect. They want to uphold standards and create a peaceful, attractive community.