


Kingswood Estates Unit III Owners Association Compliance Policy

Effective December 15, 2017

Purpose: *To ensure compliance with the Association's Governing Documents (including the Articles of Incorporation, By-Laws, Protective Covenants and the Community Policies) and the laws of the State of Arizona, and to maintain, preserve, enhance, and protect the property values and assets of the community.*

1. The owner shall be contacted via personal contact by a representative of the Board, or the management company representative, and granted at least 10 calendar days to correct a violation prior to written notification. If the owner does not comply with the request, the Board will advance the matter in writing per this policy as follows.
2. The owner shall be advised in writing with a **Courtesy Notice** and the owner will be given 21 calendar days to correct the violation, contest the notice pursuant to statute or request an opportunity to be heard. The number of days given to correct the violation may be increased in the discretion of the Board.
3. If the owner does not comply with the request in the Courtesy Notice, the Association will send a **First Notice** that will specify (i) the provision of the Governing Documents that has allegedly been violated, (ii) the date the violation was observed, (iii) the monetary penalty that will be assessed against the Member if the violation is not cured, (iv) the name of the person(s) who observed the violation, (v) the process the Member must follow to contest the Notice, including the Member's right to request an administrative hearing with the Arizona Department of Real Estate, and shall notify the Member of his or her right to be heard. The owner will be given 15 calendar days to correct the violation, contest the notice pursuant to the statute or request an opportunity to be heard.
4. If after 15 calendar days of sending the First Notice, the owner does not comply and does not request an opportunity to be heard, the Association will send a **Second Notice** which will specify (i) the provision of the Governing Documents that has allegedly been violated, (ii) the date the violation was observed, (iii) the monetary penalty that will be assessed against the Member if the violation is not cured, (iv) the name of the person(s) who observed the violation, (v) the process the Member must follow to contest the Notice, including the Member's right to request an administrative hearing with the Arizona Department of Real Estate, and shall notify the Member of his or her right to be heard. The owner will be given 15 calendar days to correct the violation, contest the notice pursuant to statute or request an opportunity to be heard.
5. If after 15 calendar days of sending the Second Notice, the owner does not comply, does not contest and does not request an opportunity to be heard, the Association will send a **Final Notice** which will specify the amount of the monetary penalty (see schedule below). The Final Notice will be sent to the Member by certified mail with a Return Receipt acknowledgement and by regular U.S. mail service.
6. If after 15 calendar days of sending the **Final Notice**, the owner does not comply, does not contest and does not request an opportunity to be heard, the Association will send **Continuing Notices** and impose a daily monetary penalty (see schedule below), and/or turn the matter over to legal counsel for legal action.
7. The sum of all fines imposed **exclusive of penalties and interest** shall not exceed two-thousand five hundred dollars (\$2,500).
8. Nothing as set forth above will limit the Board's right to take immediate legal action at any time, regardless of the presence or absence of notices hereunder, for any violation the Board of Directors determines in its sole and absolute discretion requires immediate legal action.

Adopted: 12-14-17

Board President: 

Kingswood Estates Unit III Owners Association

Compliance Policy Monetary Penalty Schedule

Courtesy Notice	No fine
First Notice of Violation:	\$ 75.00
Second Notice of Violation:	\$ 150.00
Final Notice of Violation:	\$ 250.00
Notice of Continuing Violation:	\$ 100.00 per day

The sum of all fines imposed **exclusive of penalties and interest** shall not exceed two-thousand five hundred dollars (\$2,500).

Further action to be determined by the Board to include legal action or other options as allowed by the Association's Governing Documents (including the Articles of Incorporation, By-Laws, CC&Rs and the Community Policies) and the laws of the State of Arizona.

In the event a homeowner or tenant violates the same rule within ninety 90 days of a prior violation of the same rule, the fine for such violation may be doubled as determined by the Board.

Adopted: 12-14-17

Board President:

