

Palm Court Condominium Association
FINE POLICY & FINE APPEAL PROCESS

Effective: April 26, 2021

FINE POLICY

The following Fine and Appeals Policy shall be followed for the **Palm Court Condominium Association**:

FIRST NOTICE: An initial notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within fourteen (14) days - **NO FINE**.

SECOND NOTICE: If violation still exists, a **SECOND** notice requesting compliance within fourteen (14) days shall be mailed via regular mail to the homeowner. A **\$50.00 FINE** will be assessed and due immediately.

THIRD NOTICE: If violation still exists, a **THIRD** notice requesting compliance within fourteen (14) days shall be mailed via regular mail to the homeowner. A **\$100.00 FINE** will be assessed and due immediately.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice, a **\$100.00 FINE** shall be assessed every fourteen (14) days until the violation is resolved. In addition, the Board of Directors may have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the homeowner and collected as allowed by Arizona Revised Statutes.

The Board reserves the right to circumvent any or all steps outlined in this Fine Policy in instances that the Board of Directors might deem it necessary to initiate immediate action to avoid injury to property or owners/guests.

VIOLATION APPEAL PROCESS

When a violation notice is sent to a homeowner, the notice includes a statement notifying the homeowner that they have the "RIGHT OF APPEAL". When a homeowner wants to appeal a violation, they must send the Management Company written notice that they are requesting an appeal of the violation.

- Appeals shall be received within twenty-one (21) days of the date of the fine notification (violation letter).
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&R's and/or guidelines.
- Appeals shall include all pertinent backup information to support the existence of the extenuating circumstance.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered **DENIED**.
- The homeowners appealing the violation will be given written notice of the date, time and location of which the hearing is scheduled.
- The appeal shall be heard in Executive Session.
- The Board President will introduce all parties.
- Lengthy discussions are not a part of an appeal process. Allotted time will be a maximum of 15 minutes.
- The homeowner who is appealing will be asked to state their case and present any documentation that is applicable.
- Each Board Member will have the opportunity to ask the homeowner specific questions regarding the appeal.
- Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in closed session. The homeowner will be sent "Written Notice" of the Board's decision within seven (7) business days.
- The unit owner has the option to petition for an administrative hearing on the matter in the State Real Estate Department pursuant to section 32-2199.01

If the appeal is denied, the homeowner must bring the violation into compliance within fourteen (14) days. If the violation still exists after fourteen (14) days, a **CONTINUING FINE** shall be assessed every fourteen (14) days until the violation is resolved.

**ACTION BY THE BOARD OF DIRECTORS
OF
Palm Court Condominium Association**

**FINE POLICY AND
VIOLATION APPEAL PROCESS**

The undersigned, constituting the members of the Board of Directors of **Palm Court Condominium Association, an Arizona nonprofit corporation**, hereby take the following action:


RESOLVED, that the Board of Directors hereby approves the attached Fine Policy and Violation Appeal Process for **Palm Court Condominium Association** attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all homeowners of the implementation of the fine system effective as of April 26, 2021.


IN WITNESS WHEREOF, the undersigned have executed this consent as of this date: April 26, 2021.



Linda LePore, President



Ron Koepsel, Treasurer



Lee Elvidge, Member at Large