BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

HOA DISPUTE

In the Matter of: **Enola Ward,** Petitioner vs. **1776 Condominium Association,** Respondent	**File No.: 26F-H227** **Docket No.: 26F-H227-REL** **NOTICE OF HEARING** (Assigned to ALJ Jenna Clark)

YOU ARE HEREBY NOTIFIED that under Arizona Revised Statutes ("A.R.S.") § 41-1092.01, a hearing on the above-captioned matter will be conducted through the Office of Administrative Hearings, an independent agency.

Date of Hearing:

October 5, 2026 at 1:00 p.m.

Location:

Office of Administrative Hearings

1740 W. Adams St.

Lower Level

Phoenix, Arizona 85007

Any person affected by this action must appear in person and may be represented by counsel. Parties or witnesses wishing to appear by video conference or telephone must contact the Office of Administrative Hearings (OAH) directly.

HOA DISPUTE PROCESS

The purpose of the Arizona Department of Real Estate (Department) is to protect the public interest through licensure and regulation of the real estate profession in this state, pursuant to ARS §32-2101. The Department does not adjudicate, or interpret Homeowner

Association (HOA) community documents. The Department is not a decider in disputes between Associations and their homeowners.

The Department is an administrative public office without regulatory authority over HOAs, HOA Management Companies, HOA Boards, or their members. The Department is a nominal party in this matter. The Department's only jurisdiction when applied to the HOA Dispute Process, is to survey petition forms for administrative completeness, and process documents in the appropriate manner pursuant to A.R.S. § 32-2199, *et seq*. The Department does not have the ability to investigate, litigate, or prosecute claims made by either party.

The Department follows A.R.S. §32-2199, *et seq* but does not apply the provisions of any other Article within Title 32, Chapter 20 to the HOA Dispute Process assigned under Article 11 of Title 32, Chapter 20.

In accordance with the Department's limited authority, the Department informs the court of the following precedents:

1. *Gelb v. Department of Fire, Bldg. and Life*, 241 P. 3d 512 - Ariz: Court of Appeals, 1st Div., Dept. D (2010).
2. *Woods v. Block*, 189 Ariz. 269, P.2d 428 (1997).
3. *Cactus Wren Partners v. Arizona Department of Building and Fire Safety*, 177 Ariz. 559, 869 P.2d 1212 (App. 1993).
4. *J.W. Hancock Enterprises, Inc. v. Arizona State Registrar of Contractors,* 142 Ariz. 400, 690 P.2d 119 (1984).

FILINGS

The Department of Real Estate "Department" received a petition filed by the Petitioner on July 20, 2026. The filing fee of $500.00 was paid on the same day. On July 22, 2026, the Department issued a Notice of Petition. The Notice of Petition contained a response deadline of August 11, 2026. The Department received the Respondent's response on August 10, 2026.

DISPUTE

Petitioner alleges the Respondent of violating ARS §33-1243, Page 16 Section 3 of the Bylaws, and Page 24 of the 1776 COA Responsibility Matrix by authorizing the removal of porch carpeting from Petitioner's limited commpan element on March 30, 2026 "without proper procedural authorization or owner consent"

QUESTIONS

Any and all questions regarding the referenced case matter should be directed to OAH. For any and all general inquiries, you may communicate with their office directly by calling (602) 542-9826 or emailing oah@azoah.com. Their hours of operation are 8:00am - 5:00pm Monday through Friday.

DATED this 24 day of August, 2026.

Mandy Neat

MANDY NEAT
Deputy Commissioner
Arizona Department of Real Estate

E-FILE of the foregoing this 25 day of August, 2026, to:

ALJ Jenna Clark
Office of Administrative Hearings

COPY mailed by First Class and Return Receipt Request on the 25 day of August, 2026, Return Receipts Requested to:

Enola Ward
16834 N 103rd Dr
Sun City AZ 85351
Return Receipt Number: 9414809898643584664640
Email: zbk231@gmail.com
Petitioner

Lynda Grunert
1776 Condo Association
16849 N 103rd Dr
Sun City AZ 85351
Return Receipt Number: 9414809898643584665005
Email: 1776coa@gmail.com
Respondent

RM

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