DEPARTMENT OF REAL ESTATE

100 North 15th Avenue, Suite 201
Phoenix, AZ, 85007
602.771.7700

KATIE HOBBS
GOVERNOR

SUSAN NICOLSON
COMMISSIONER

HOMEOWNERS ASSOCIATION (HOA) PETITION REQUEST FORM

Use this form to begin the HOA Dispute Process with the Department of Real Estate. This completed application must be accompanied by a copy of the condominium or planned community documents that are at issue in this matter.

Once complete, the application and additional documents should be submitted through our Message Center.

PETITIONER INFORMATION (Party Filing the Petition)		
Homeowner or Association Name: Gene Wilson		
☑ Homeowner	☐ Condominium/Community Association	☐ Planned Community Association
Address: 51421 W. Iver		
City: Aguila	State: AZ	ZIP: 85320
Phone: (928)240-1244	Email: fastbuggy123@gmail.com	

SUBJECT PROPERTY (If different than Petitioner address)		
Address: 000 W. William - street address not yet assigned; parcel number 506-06-086B		
City: Aguila	State: AZ	ZIP: 85320

PETITIONER'S ATTORNEY INFORMATION (if applicable)		
Attorney Name:	Law Firm:	
Address:		
City:	State:	ZIP:
Phone:	Email:	

RESPONDENT INFORMATION (Opposing Party)		
Homeowner or Association Name: Eagle Roost Management Inc.		
☐ Homeowner.	☐ Condominium/Community Association.	☑ Planned Community Association.
Address: P. O. Box 544 c/o Katherine C V Julianne Moore, Statutory Agent		
City: Aguila	State: AZ	ZIP: 85320
Phone: (307)329-9109	Email: president@eagleroost.org	

Questions regarding this communication can be sent to Mandy Neat, ADRE Deputy Commissioner, at 602-771-7724 or online through the ADRE Message Center

ISSUE(S)

Has a lawsuit been filed regarding this matter?		☐ Yes	■ No
Number of issue(s) claimed in this petition:			
☐ One (1) - $500.00	☐ Two (2) - $1,000.00	■ Three (3) - $1,500.00	☐ Four (4) - $2,000.00

Alleged violation (check box and provide reference of the violation, this must be completed):

☐ Condominium Statutes (example. A.R.S. § 33-1243):	
■ Planned Community Statutes (example. A.R.S. § 33-1809(A)(1)):	ARS 10-3302(3)&(11), 10-3842(A), 33-1806(A), 33-1817(A)
■ Bylaws (Example: Article 4.1(a)):	Article Five #I; Article Eleven #III
■ CC&Rs (Example: Article 4, Sec. 4.1):	CCR's Amendment 3 #17, #18

Relief Requested - Other than ordering Respondent to reimburse the filing fee required by A.R.S § 32-2199.01, if the Petitioner prevails, Petitioner requests that the following relief be awarded by the Office of Administrative Hearings. Please select all that apply.

■ Order Respondent to abide by the Arizona statute specified in the complaint section.	■ Order Respondent to abide by the section(s) of the condominium/planned community document(s) specified.	■ Impose a civil penalty based on the violation specified. (Penalties, if granted, are awarded to the State, not the Petitioner).

Description. Use this space to provide a one (1) sentence statement of the violation(s) for each issue claimed. Include within the statement the specific rule or statute that is allegedly in violation, the factual basis for the violation you are alleging, and the date and time of the alleged violation(s).

The Eagle Roost Airpark Board of Directors (BOD), on behalf of the Eagle Roost Homeowner's Association, has failed to correct the discrepancy between the Special Use Permit approved by Maricopa County on July 31, 1978 and Amendment 3 to the Declaration of Covenants, Conventions and Restrictions (CCR's) filed on April 6, 1994, which has resulted in unequal enforcement of setbacks for runway properties in violation of the following: ARS 10-3302(3) (BOD has the authority and duty to make and amend bylaws); ARS 10-3302(11) (BOD shall conduct its activities pursuant to the powers granted by chapters 24 through 40 of this title within or without this state), ARS 10-3842(A)1, 2 and 3 (BOD to discharge duties in good faith, with the care of an ordinarily prudent person in a like position, and in a manner reasonably believed to be in the best interests of the corporation), ARS 33-1806(A) (BOD shall provide information specified in this section to the purchaser within ten days but failed to do so, including but not limited to the Special Use Permit), ARS 33-1817(A) (BOD failed to follow processing of amendments to declarations of the association as required by this section), Article Five #I of the Bylaws (Directors shall have the authority to do all things necessary or convenient to further and carry out the purposes of this corporation), Article Eleven #III (Bylaws are to manage public areas and enhance enjoyment of property owners of common areas and use of their own properties), Amendment 3 #17 of the CCR's (covenants are understood and agreed to be taken and held for the benefit of all parcel owners), Amendment 3 #18 of the CCR's (the binding nature of the covenants along with violations and potential remedies), neglecting their fiduciary duties as evidenced by there being no recorded documents, response to letter from Petitioner dated 01/26/2026 (enclosed) or other proof of action, which adversely affects a 40 by 600 foot piece of Petitioner's property; ALSO Petitioner has information and believe as well as evidence that the BOD has acted against the best interests of property owners (see attached).

SIGNATURE

Under penalty of perjury, I swear that this complaint is true and accurate to the best of my knowledge.

Petitioner Name: Gene Wilson	Date: 04/03/2026
Petitioner Signature:	

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