



ARIZONA DEPARTMENT OF REAL ESTATE (ADRE)

Homeowners Association Dispute Resolution

www.azre.gov

100 North 15th Avenue, Suite 201, Phoenix, Arizona 85007

Douglas A. Ducey
Governor

Louis Dettonne
Commissioner

December 29, 2021

Sent via certified mail receipt no. to:

Forest Trails Homeowners Association
c/o Community Asset Management LLC
Statutory Agent
PO Box 1000
Prescott, AZ 86304

9489 0090 0027 6391 4698 35

RE: Case # HO22-21/026 Judy Clapp vs. Forest Trails Homeowners Association

To Whom It May Concern:

A Petition for Hearing against Forest Trails Homeowners Association (Respondent) has been received by the Arizona Department of Real Estate (Department). The Department is authorized to receive Petitions for Hearing and take other actions pursuant to Arizona Revised Statutes (A.R.S.), Title 32, Chapter 20, Article 11. With this letter and the attachments, which may be sent electronically, the Respondent is **notified** of the petition. Pursuant to A.R.S. § 32-2199.01(C) & (E), Respondent is required to complete the attached response form and submit it to the Department within **TWENTY (20) days** after mailing of this letter, showing cause, if any, why the petition should be dismissed. **The response is due by January 24, 2022.** Respondent's failure to answer by this date provided is deemed an admission of the allegations made in the Petition and the Commissioner of the Department shall issue an Affidavit and Order of Default. If a timely response is received, the response will be promptly reviewed and, if the petition is determined justified, will be referred to the Office of Administrative Hearings and the hearing will be scheduled.

You may send the accompanying response form electronically via the message center at www.azre.gov/message-center and by selecting the link under "HOA Dispute Process questions or completed Petitions submit here." **Forward a copy of your response to the Petitioner as well (see below for the address).** Refer to the HOA dispute process found on www.azre.gov for any question you may have. If you choose to respond to the Petition via US mail, send it Attention: HOA Dispute Process, 100 North 15th Avenue, Suite 201, Phoenix, AZ 85007.

Sincerely,

Dan Gardner

Dan Gardner
HOA Coordinator
Department of Real Estate
State of Arizona
Enclosures: 2-Petition Response Form & Petition



cc: via US Mail & electronically to:
Petitioner
Judy Clapp
c/o Kevin Harper
Harper Law PLC
50 W Vaughn Ave. Suite 204
Gilbert, AZ 85234
kevin@harperlaw.com

cc: sent via certified mail & electronically to:
Forest Trails Homeowners Association
c/o Carpenter, Hazlewood, Delgado & Bolen, LLC
1550 W Plaza West Dr.
Prescott, AZ 86303
jim@carpenterhazlewood.com

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ATTENTION RESPONDENT

Pursuant to Arizona Revised Statute § 32-2199.01 (C) you are required to file a response to the Petition with the Department of Real Estate within twenty (20) days of the notification. Failure to file a response will be deemed an admission of the allegations made in the Petition, and the Commissioner shall issue a default decision.

Response Re: Case # HO22-21/026

- _____ 1. All of the complaint items in the Petition are denied.
- _____ 2. The following complaint items are denied
(any allegations not specifically denied will be deemed admitted).

- _____ 3. All of the complaint items have been resolved.
- _____ 4. The number of witnesses the Respondent will call to testify at the hearing: _____.
- _____ 5. Petitioner was copied on this response.

If this matter is referred, Respondent will be represented by: (provide name and contact information)

Respondent's Signature _____ Date _____



H022-21/026
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DOUGLAS A. DUCEY
 GOVERNOR

 JUDY LOWE
 COMMISSIONER

100 North 15th Avenue, Suite 201, Phoenix, Arizona 85007

HOMEOWNERS ASSOCIATION (HOA) DISPUTE PROCESS PETITION

LEGAL ACTION (Complete this section with the Attorney's information if the Petitioner is being represented on this matter.)

Does an attorney represent you in this matter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Has a lawsuit been filed regarding this matter? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Attorney Name: Kevin Harper		Law Firm: Harper Law PLC	
Address: 50 W. Vaughn Ave.		Suite: 204	City: Gilbert
		State: AZ	Zip Code: 85234
Office Phone: 602-256-6400	Fax: 602-256-6418	Email address: kevin@harperlaw.com	

INVOLVED PARTIES (An owner's petition (complaint) must be about a dispute between the owner and the association. An association's petition (complaint) must be about a dispute between the association and the owner.)

PETITIONER IS A (check one) <input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Condominium/Community Association <input type="checkbox"/> Planned Community Association	RESPONDENT IS A (check one) <input type="checkbox"/> Homeowner <input type="checkbox"/> Condominium/Community Association <input checked="" type="checkbox"/> Planned Community Association
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RESPONDENT INFORMATION (Respondent may not be a management company but may be addressed in care of one.) The Respondent is the person or association against whom action or relief is sought, or who opposes the petition.

Homeowner (Last, First & M.I) or Association Name: Forest Trails Homeowners Association, c/o Carpenter, Hazelwood, Delgado & Bolen, LLC			
Address: 1550 Plaza West Dr.		City: Prescott	State: AZ
		Zip Code: 86303	
Best Phone Contact: 928-445-9224		Email address: jim@carpenterhazelwood.com	

PETITIONER (YOUR NAME AND ADDRESS) The person or association completing this form is the Petitioner.

Homeowner (Last, First & M.I) or Association Name: Clapp, Judy			
Address: 1995 Havens End		City: Prescott	State: AZ
		Zip Code: 86305	
Best Phone Contact: 928-925-6227		Email address: judyeclapp@gmail.com	

ADDRESS OF SUBJECT PROPERTY (If different than the Petitioner's mailing address)

Address: Common Area Adjacent to 1473 Trailhead		City: Prescott	State: AZ
		Zip Code: 86305	

COMPLAINT (DO NOT LEAVE THIS SECTION BLANK)

This complaint is a violation of: (Check box and provide the reference of the alleged violation/s. THIS MUST BE COMPLETED.)	
<input type="checkbox"/>	Condominium Statutes (example. A.R.S. § 33-1243): _____
<input type="checkbox"/>	Planned Community Statutes (example. A.R.S. § 33-1809(A)(1)): _____
<input type="checkbox"/>	Bylaws (Example: Article 4.1(a)): _____
<input checked="" type="checkbox"/>	CC&Rs (Example: Article 4, Sec. 4.1): CC&Rs, § 2.2, 2.21; Architectural Guidelines

NUMBER OF ISSUES CLAIMED IN THIS PETITION

<input checked="" type="checkbox"/> 1 \$500 <input type="checkbox"/> 2 \$1,000 <input type="checkbox"/> 3 \$1,500 <input type="checkbox"/> 4 \$2,000

RELIEF REQUESTED

