

1 **Final agency action regarding decision below:**

2
3 **ALJFIN ALJ Decision final by statute**

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5 **IN THE OFFICE OF ADMINISTRATIVE HEARINGS**

6
7 Anthony T Horn,
8 Petitioner,
9 vs.
10 Sun Lakes Homeowners Association #1,
11 Inc.,
12 Respondent.

No. 22F-H2221017-REL

**ADMINISTRATIVE LAW JUDGE
DECISION**

13 This matter was set for hearing on February 24, 2022. Petitioner Anthony T. Horn
14 filed a petition with the Arizona Department of Real Estate alleging that Respondent
15 Sun Lakes Homeowners Association #1, Inc. had violated Arizona Revised Statutes
16 (A.R.S.) 33-1804(F).

17 On January 24, 2022, Respondent filed a motion for summary judgment and a
18 motion to dismiss. Respondent contended that there was no genuine dispute as to
19 material facts. Furthermore, Respondent contended even if Respondent had violated
20 A.R.S. 33-1804(F), the violation has since been cured.

21 On February 11, 2022, Respondent filed a motion for summary disposition
22 requesting that the tribunal grant the motion for summary judgment as a matter of law
23 and vacate the hearing pursuant to Ariz. R. Civ. P. 7.1(b), A.A.C. R2-19-107 and A.A.C.
24 R2-19-108.

25 Having received no response from Petitioner to the motion for summary
26 judgment, the motion to dismiss, and the motion for summary disposition, the
27 Administrative Law Judge concludes that the motions should be granted pursuant to
28 Ariz. R. Civ. P. 7.1(b) and Rule A.A.C. R2-19-106(D), A.A.C. R2-19-107 and A.A.C. R2-
29 19-108, and A.A.C. R2-19-111.

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