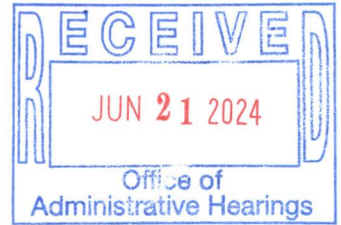


FROM THE DESK OF  
**MICHELE BEAUCHAMP**

June 17, 2024



**To:** ALJ Samuel Fox  
Office of Administrative Hearings  
1740 W. Adams St.  
Lower Level  
Phoenix, Arizona 85007

**SCANNED**

**Subject:** Homeowner Association (HOA) Dispute Process Exhibits for  
File No.: 24F-H051 Docket No.: 24F-H051-REL

Hello Mr. Fox,

I received a message from the ADRE in regards to my exhibits, which were not completely uploaded to the Office of Administrative Hearings system and asked me to send you all of my exhibits.

Enclosed is a copy of the message I received from the ADRE and a flash drive with all of my exhibits that I submitted to the ADRE which consist of PDFs, JPEGs and audio recordings from my iPhone which I am not familiar with what type of audio recordings they are.

Sincerely,

A handwritten signature in black ink, appearing to be "MB" with a flourish, written over the word "Sincerely,".

Michele Beauchamp

## Message

The following message was sent to you from the Department. You can reply once to this message by clicking the Reply to Message button. If this message is part of a conversation click the link below to view all related messages.

**Message ID** 799260

**Sender** Department

**Date Sent** 6/14/2024 4:44:05 PM

**Date Read** 6/14/2024 4:45:57 PM

**Date Replied**

**Topic** Homeowner Association (HOA) Dispute Process

**Message** Hello,

The Department attempted to upload all of your exhibits to the Office of Administrative Hearings. Due to their system's limitations, not all files could be sent. It is your responsibility to ensure the Office of Administrative Hearings has all of your exhibits and submission from the file. Their contact information was shared with you on the Notice of Hearing pdf.

Since your case has been set for a hearing, communication and questions should be directed to their office, in anticipation for the hearing.

Thank you,

ADRE

This message is part of a conversation. Click [here](#) to view all related messages.

[Reply to Message](#)

[Return Home](#)

1 **BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS**

2 In the Matter of:

3 **Michele Beauchamp,**

4 Petitioner

5 vs.

6 **The Villages at Rio Paseo Condominium**  
7 **Association,**

8 Respondent

**File No.: 24F-H051**

**Docket No.: 24F-H051-REL**

**NOTICE OF HEARING**

(Assigned to ALJ Samuel Fox)

9 **YOU ARE HEREBY NOTIFIED** that under Arizona Revised Statutes (“A.R.S.”) § 41-  
10 1092.01, a hearing on the above-captioned matter will be conducted through the Office of  
11 Administrative Hearings, an independent agency.

12 **Date of Hearing:**  
13 **August 2<sup>nd</sup>, 2024 at 1:00 p.m.**

14 **Location:**  
15 **Office of Administrative Hearings**  
16 **1740 W. Adams St.**  
17 **Lower Level**  
18 **Phoenix, Arizona 85007**

19 Any person affected by this action must appear in person and can be represented by  
20 counsel. Parties or witnesses wishing to appear by video conference or telephone may, not later  
21 than 7 calendar days prior to the hearing date, request that the assigned Administrative Law  
22 Judge permit them to appear by video conference or by telephone. This must be done by  
23 contacting the Office of Administrative Hearings directly. Parties must be present during the  
24 giving of all evidence, to have a reasonable opportunity to inspect all documentary evidence, to  
25 examine witnesses, to present evidence and argument on all relevant issues, and to have  
subpoenas issued by the Administrative Law Judge to compel attendance of witnesses and  
production of evidence.

Information regarding procedures, practice pointers, or the online filing of motions is  
available through the Office of Administrative Hearings’ website at [www.azoah.com](http://www.azoah.com), or by  
calling their offices at (602) 542-9826.

1 The Office of Administrative Hearings has designated Samuel Fox, at the address listed  
2 above, as the Administrative Law Judge for these proceedings.

3 If the Respondent does not appear, the hearing will proceed **in the Respondent's absence**.  
4 If the Petitioner does not appear, the Petition may be dismissed.

5 You are requested to be present at the hearing and produce all association rules and  
6 regulations and any amendments thereto, correspondence, associate policy statements and other  
7 relevant evidence, including photographs. **You are requested to bring three (3) copies of any  
8 documentary or photographic evidence.** You may present evidence through your own  
9 testimony and through the testimony of witnesses on your behalf. It is your responsibility to  
10 secure the attendance of your witnesses.

11 Additional information regarding rules for OAH, hearing procedures, preparing for your  
12 hearing, and frequently asked questions, may be found on OAH's website at [www.azoah.com](http://www.azoah.com).

13 **If you have filed any motions prior to the receipt of this Notice of Hearing, you must  
14 re-file the motions with the Office of Administrative Hearings (OAH) electronically or at  
15 the address listed above. With this notice, all oral and written communication should be  
16 directed to the OAH and a copy must be provided to the opposing party.**

17 **As the hearing is now scheduled before an Administrative Law Judge, there is no  
18 need by either party to copy the Arizona Department of Real Estate with motions,  
19 responses or further correspondence on the matter.**

20 Under the Americans with Disabilities Act (ADA), the Office of Administrative Hearings  
21 endeavors to ensure the accessibility of its hearings to all persons with disabilities. Persons with  
22 disabilities may request reasonable accommodations such as interpreters, alternative formats, or  
23 assistance with physical accessibility. Requests for accommodations should be made as early as  
24 possible to allow time to arrange the accommodations. If you require accommodations, please  
25 contact the Office of Administrative Hearings at (602) 542-9826.

### DISPUTE

26 Petitioner alleges the Respondent "is in breach of contract by violating its own rules and  
27 procedures in the (condominium documents) set for board members, owners and residents; to  
28 use unauthorized Association funds to illegally modify the declaration to establish a 'Board,

1 Committee Member, and Meeting Conduct Code of Conduct' document with a incomplete  
2 (DocuSign) 'Unanimous Consent to Action' document to issue a illegal violation and fine on a  
3 board Director. [sic]" Petitioner alleges this action is violation of the following:

4 1. Arizona Revised Statutes:

- 5 a) ARS § 33-1213
- 6 b) ARS § 33-1242 (A)1,6,13, (C)3,4 and (D)
- 7 c) ARS § 33-1248 (A), (E)4, (F)
- 8 d) ARS § 33-1258

9 2. Bylaws:

- 10 a) Article 1 Statute 1.8
- 11 b) Article 3 Statute 3.5, 3.10, 3.10.7, 3.10.12, 3.10.17, 3.10.19
- 12 c) Article 4 Statute 4.8, 4.8.1

13 3. CC&Rs:

- 14 a) Article IV, Statute 4.1
- 15 b) Article VI, Statutes 6.3, 6.5
- 16 c) Article XV, Statutes 15.3, 15.4

17 **QUESTIONS**

18 Any and all questions regarding the referenced case matter should be directed to OAH.  
19 For any and all general inquiries, please email [oah@azoah.com](mailto:oah@azoah.com). Their hours of operation are  
20 8:00am - 5:00pm pm Monday through Friday.

21 DATED this 13th day of June, 2024.

22 *Daniel Y. Jones*

23 \_\_\_\_\_  
24 DANIEL Y JONES  
25 Division Manager  
Arizona Department of Real Estate

26 **E-FILE** of the foregoing this  
27 13th day of June, 2024, to:

28 ALJ Samuel Fox  
29 Office of Administrative Hearings

1 **COPY** mailed by First Class and  
2 Certified Mail on the 13th day of  
3 June, 2024, Return Receipts Requested to:

4 Michele Beauchamp  
5 14870 W Encanto Blvd, Unit 2123  
6 Goodyear AZ 85395  
7 Receipt No. 9489 0090 0027 6611 8974 93  
8 Email: [mbeaudeesign@me.com](mailto:mbeaudeesign@me.com)  
9 *Petitioner*

10 Beth Mulcahy, Esq.  
11 Mulcahy Law Firm, P.C  
12 3001 E Camelback Road, Ste 130  
13 Phoenix AZ 85016  
14 Receipt No. 9489 0090 0027 6611 8975 09  
15 Email: [info@mulcahy.com](mailto:info@mulcahy.com)  
16 *Attorney for Respondent*

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19 10290603

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