

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
THE VILLAGE AT RIO PASEO CONDOMINIUM ASSOCIATION**

c/o Associated Asset Management
1600 W. Broadway Rd. Suite 200
Tempe, AZ 85282
(602) 957-9191 -- FAX (602) 957-8802

**FINE POLICY AND
VIOLATION APPEAL PROCESS**

The undersigned, constituting all of the members of the Board of Directors of The Village at Rio Paseo Condominium Association, Inc., an Arizona nonprofit corporation, hereby take the following action:

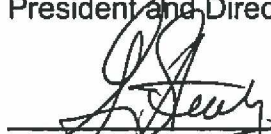
RESOLVED, that the Board of Directors hereby approves the attached Fine Policy and Violation Appeal Process for The Village at Rio Paseo Condominium Association, Inc., attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all homeowners of the implementation of the fine system effective as of January 1, 2018.

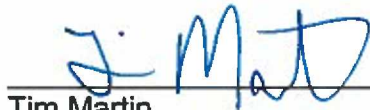
IN WITNESS WHEREOF, the undersigned have executed this consent as of this 7th day of December, 2017.



Jason Weber
President and Director, Board of Directors



Guy Stuckey
Vice President and Director, Board of Directors



Tim Martin
Secretary/Treasurer and Director, Board of Directors

THE VILLAGE AT RIO PASEO CONDOMINIUM ASSOCIATION FINE AND APPEAL PROCESS

Effective January 1, 2018

FINE POLICY

Pursuant to the Declaration, the Association shall have the right to adopt a schedule of fines for violation of any provision of the Governing Documents. The following Fine and Appeals Policy shall be followed for The Village at Rio Paseo Condominium Association:

FIRST NOTICE: An initial notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within fourteen (14) days - **NO FINE**.

SECOND NOTICE: If violation still exists, a second notice requesting compliance within ten (10) days shall be mailed via regular mail to the homeowner. A **\$50.00 FINE** will be assessed and due immediately with the second notice.

THIRD NOTICE: If violation still exists, a third notice requesting compliance within five (5) days shall be mailed via regular mail to the homeowner. A **\$100.00 FINE** will be assessed and due immediately with the third notice.

CONTINUING VIOLATIONS: If the violation continues without resolution after the fourth notice, a **FINE** of **\$100.00** shall be assessed every fourteen (14) days until the violation is resolved. In addition, the Board shall have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the homeowner and collected as allowed by Arizona Revised Statutes.

FINES: No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to stop the violation within no less than fourteen (14) days or another recurrence of the same violation within six (6) months of the original violation shall make the Owner subject to imposition of a fine.

SELF HELP: Pursuant to Article 11.8 of the Declaration, In the event any portion of any Unit or any Limited Common Area is improperly maintained or maintained so as to present a nuisance, or substantially detract from the appearance or quality of surrounding property, or in the event any portion of a Unit or Limited Common Element is being used in a manner which violates this Declaration, or in the event the Owner of any Unit is failing to perform any of its obligations under the Constituent Documents, the Board may make a finding to such effect, specifying the particular condition or conditions which exist, and pursuant thereto, give written notice thereof to the offending Owner that unless corrective action is

taken within fifteen (15) days, the Board may cause such action to be taken at said Owner's cost. If at the expiration of said 15-day period of time the requisite corrective action has not been taken, the Board shall be authorized and empowered to cause such action to be taken and the cost thereof shall be added to and become a Remedial Assessment to which the offending Owner and the Owner's Unit are subject and shall be secured by the Assessment Lien.

Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.

The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.

APPEAL PROCESS

- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL."
- An Owner/member who receives a written notice that the condition of the property owned by the member is in violation of the community documents without regard to whether a monetary penalty is imposed by the notice may provide the association with a written response by sending the response by certified mail within twenty-one (21) calendar days after the date of the notice. The response shall be sent to the address identified in the notice.
- Appeals shall demonstrate *extenuating circumstances* which require deviation from the Governing Documents.
- Appeal shall include all pertinent backup information to support the existence of the *extenuating circumstance*.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered **DENIED**.
- The Owner appealing the violation will be given written notice that the appeal has been received and it will be reviewed by the Board.
- If the appeal is denied, the Owner must bring the violation into compliance within fourteen (14) days. If the violation still exists after fourteen (14) days, the Owner will be fined \$100.00 every fourteen (14) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowner and collected in the same manner as assessments.