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N/A

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Today's Date: June 12, 2025

[Handwritten Signature]
Your Signature

This page must be completed and attached to the LAST page of your Motion/Request

I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Maricopa County on: June 12, 2025
Month Date Year

I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): Coffey, on June 16, 2025 (Judicial Officer assigned to your case)
Month Date Year

I mailed/delivered a COPY of the attached document(s) on this date:
June 16, 2025 To: Gardens Gilbert Community Association et. al
Month Date Year

(You must mail a copy of all documents to the other side and his/her lawyer)

Gardens Gilbert Community Association et. al

Shaw & Lines, LLC/Augustus H. Shaw IV

Name of Other Side

Name of Other Side's Lawyer

4135 S. Power Road, Ste. 133

4523 E. Broadway Road

Address

Lawyer's Address

Mesa, Arizona 85212

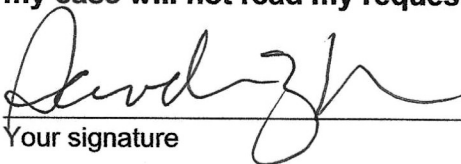
Phoenix, Arizona 85040

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City, State, Zip

By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.

I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the judge in my case will not read my request/motion.


Your signature



Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Resubmittal: Architectural Form for Approval (Attempt #3) (Correction)

1 message

Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

Wed, Jun 11, 2025 at 8:33 AM

To: Augustus Shaw <ashaw@shawlines.com>

Cc: Brooke Sortor <Brooke@focushoa.com>, Focus Info <info@focushoa.com>, Harman Cadis <harman@focushoa.com>, Anna Schultz <anna6890@yahoo.com>

Bcc: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>

I am resubmitting this now with Architectural Form #3 properly attached. Correction below

On Wed, Jun 11, 2025 at 7:58 AM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Gardens Gilbert Community Association Board and Focus HOA Management, LLC:sa

I am once again submitting my completed Architectural Form and all related documentation for the replacement of my windows. This is now my **third formal request**, following submissions on **May 13, 2025** and **June 2, 2025**, which were preceded by my original inquiry on **April 2, 2025**. Despite multiple emails, photographs, and confirmations sent in good faith, you have yet to issue a decision or provide any specific guidance.

The proposed replacement windows are standard **white vinyl windows** (JELD-WEN V-2500 and Milgard V250 Style Line), selected for their affordability and availability. These windows are comparable in style and appearance to those currently installed and are intended to address serious **health and safety issues** stemming from mold intrusion.

Documented Discrimination and Obstruction

Over the last 71 days, I have made multiple efforts to comply with your architectural review requirements. Yet, I continue to face **obstruction and discriminatory treatment**, including:

- **Refusal to provide the architectural form** for an extended period, delaying my ability to even apply;
- **Vague and shifting justifications** based on CC&R language, without specific clarification, despite my repeated requests;
- **Unequal treatment compared to white neighbors**, who confirmed they received prompt approvals without being questioned on glass color or subjected to the same scrutiny;
- **Hostile conduct**, including threats to call law enforcement and being physically removed from your office, simply for seeking clarification on my application.

These actions are not only unjust — they amount to **discrimination** and **retaliation** under the **Fair Housing Act (42 U.S.C. § 3604)** and applicable Arizona civil rights laws. As a **Latina single mother** with limited financial means, I have been denied equal access to basic housing services and subjected to a pattern of disparate treatment based on race, socioeconomic status, and family status.

The HOA's ongoing refusal to approve this critical repair has extended our exposure to dangerously high levels of indoor mold—as confirmed in air quality report. According to the Centers for Disease Control and Prevention (CDC), *all types of mold are potentially hazardous and should be removed promptly*, regardless of species. The CDC warns that mold exposure can cause respiratory illness, allergic reactions, and long-term health effects, especially in children, the elderly, and individuals with preexisting conditions. By continuing to delay and obstruct this necessary window replacement, the HOA is directly contributing to ongoing, irreparable harm to my family's health and safety.

What Is Attached

For your convenience, I am resubmitting the following:

- The Architectural Form submitted on June 11, 2025
- Photographs of the current windows and proposed white replacements (previously sent via email April 2, 2025);
- Screenshots of specific pictures of windows for your review

Final Notice

Should I not receive a written response by **Monday, June 16, 2025 at 8:00 AM**, I will be compelled to consider the following actions to ensure the matter is appropriately addressed

- Pursue **judicial relief** through the Maricopa County Superior Court and the Arizona Court of Appeals;
- File formal discrimination complaints with the **Arizona Department of Housing, HUD**, and the **Arizona Attorney General's Civil Rights Division**.

This window replacement is not cosmetic — it is an urgent repair necessary to protect the health and safety of my children and me. Please let me know if you need anything else.

Sincerely,

Sandra Rodriguez

On Fri, Jun 6, 2025 at 4:09 PM Augustus Shaw <ashaw@shawlines.com> wrote:

Please see the attached.

Augustus H. Shaw IV†*

Shaw & Lines, LLC

4523 E. Broadway Road

Phoenix, AZ 85040

Phone 480-456-1500

Fax 480-456-1515

e-mail ashaw@shawlines.com

web site www.shawlines.com

†Licensed in Arizona and Nebraska

*Faculty Associate - Arizona State University O'Connor College of Law

*Member, College of Community Association Lawyers

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YOU.

THIS FIRM MAY ACT AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

From: Sandra Rodriguez <sandra.rodriguez0339@gmail.com>
Sent: Monday, June 2, 2025 8:00 AM
To: Brooke Sortor <Brooke@focushoa.com>
Cc: Focus Info <info@focushoa.com>; Harman Cadis <harman@focushoa.com>; Anna Schultz <anna6890@yahoo.com>; Augustus Shaw <ashaw@shawlines.com>
Subject: Re: Resubmittal: Architectural Form for Approval (Attempt #2)

Dear Gardens Gilbert Community Association, Focus HOA Management, LLC, c/o Augustus H. Shaw IV;

I am writing to formally document that I have not received a response to my resubmittal. As a result, my architectural application has not been reprocessed, which constitutes an ongoing denial of my rights as a homeowner.

This failure to act violates due process protections under the Fourteenth Amendment, the Fair Housing Act (42 U.S.C. § 3604), and Arizona state law, including A.R.S. § 33-1817 and § 33-1256. These laws require associations to maintain and follow clear, reasonable procedures and prohibit arbitrary or retaliatory decisions concerning architectural requests.

It is important to note that while your office and legal counsel, Augustus H. Shaw IV, continue to send billing notices and demand dues, you have refused to meet your basic legal obligations—namely, to provide requested information and process applications in good faith. The existence of a cease and desist does not relieve the Association or its representatives from complying with state and federal obligations to communicate and act in accordance with governing statutes and community documents.

In the meantime, serious and unresolved health and safety issues remain at my property, including ongoing exposure to black mold. Your inaction continues to place my family at risk and increases the Association's liability.

I request immediate written confirmation that my application will be reviewed and reprocessed without further delay, and that a full explanation of the HOA's approval process will be provided as required by law.

Sincerely,

Sandra Rodriguez

On Mon, May 26, 2025, 3:09 PM Sandra Rodriguez <sandra.rodriguez0339@gmail.com> wrote:

Dear Gardens Gilbert Community Association c/o Focus HOA Management, LLC;

As previously stated in my email on May 13, 2025, and reiterated to Mr. Augustus H. Shaw IV, I clearly indicated in my original architectural request that **the dimensions, material, and color of the proposed windows will match the original builder-installed windows**. This includes consistency with the current home exterior and existing frame style.

Attached again for your convenience are the following:

- My original **Architectural Form** submitted on May 13, 2025
- The email confirmation and correspondence showing timely submission
- Reference photos of the current windows and intended replacements

Despite these submissions, I received a denial on May 14, 2025, requesting details **not required** under the governing documents. Nowhere in the **CC&Rs, Articles of Incorporation, Design Guidelines, or Architectural Rules and Resolutions** is there a requirement for homeowners to submit a “sample picture of the windows” or “glass color” when the replacement matches the existing structure in size, color, and type.

Per the **Design Guidelines** and **Architectural Review Rules**:

“Review will include, but is not limited to, consideration of material, quality of workmanship, colors, and consistency with the external design and color of existing structures on the lot...” – Design Guidelines, p. 2–3.

Nowhere in these standards is a color of *glass* or additional photographic sample required when the improvement is like-for-like.

Moreover, **CC&Rs Section 3.5** provides that changes consistent with existing architecture require approval **only to confirm aesthetic continuity**, not to impose undocumented burdens or subjective requirements.

The **Articles of Incorporation** and **Bylaws** both impose a duty on the Board to operate in good faith and in furtherance of member interests. No part of those documents grant arbitrary authority to obstruct standard home repairs matching original construction.

This denial and request for resubmittal, despite full compliance with your own published standards, also conflicts with:

- **A.R.S. § 10-3301 et seq.** (Arizona Nonprofit Corporation Act)
- **A.R.S. § 33-1817** (Planned Community Act – Architectural Approval)
- **Federal Fair Housing Act & AZ HUD oversight requirements** regarding reasonable accommodation and health/safety-based requests

As of today, **it has been 54 days** since my initial submission on April 2, 2025. Under both your **Design Guidelines** and **A.R.S. § 33-1817(A)**, the Association has a **maximum of 45 days** to respond to architectural requests. If no decision is issued within that time, **the request is deemed approved by operation of law**.

Accordingly, I respectfully demand the following:

1. Immediate reprocessing and approval of my May 13, 2025 architectural request, referencing my original submittal and photos provided.
2. Written confirmation of this approval within **7 business days** from the date of this letter.

Please also note that this ongoing obstruction has been formally reported to the **Arizona Attorney General’s Office** and **Arizona HUD/Fair Housing Division** for investigation.

I reserve all legal rights and remedies, including under federal housing law, **A.R.S. Title 33**, and applicable nonprofit governance statutes.

Sincerely,

Sandra Rodriguez




4 attachments



JELD-WEN V-2500 Window (Master).png
1409K

 **My Email to GGCA, F.HOA, et al. Shaw - Replacement Windows Info 05.04.25.pdf**
187K

 **2. Architecural Form #3 06.11.25.pdf**
1156K

 **Milgard V250 Style Line Series 59-1_2-in x 59-1_2-in White Left-Handed Vinyl Sliding Window.pdf**
359K



The Knotted Wick Candle Co. APOTHECARY



Brittany Beuzekom Schultz

Small Business Owner • Licensed Esthetician • Accounting @ Focus HOA Management

Greater Phoenix Area · [Contact info](#)

474 followers · 418 connections

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474 followers

+ Follow

Posts

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Brittany Beuzekom Schultz · 3rd+
Small Business Owner • Licensed Esthetician...
2w · 🌐

Novella Cruce you are such an inspiration! Your leadership has always inspired me to do better, to grow, and trust the process. Your ability to handle hard situations as a leader/manager with grace is what makes you shine! You don't just care about your growth, you bring your skills and knowledge to those around you. You are a true rockstar! Thank you for always lifting me up!! The world need more people like you in it!

👍❤️7 · 1 comment



Brittany Beuz
Small Business Ow
1mo · 🌐

Super excited to share my company that values you, your time has been amaz

Starting a

👍❤️26 · 6 comments

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Experience



Focus HOA Management
1 yr 11 mos

Accountant

Full-time
Sep 2023 - Present · 1 yr 10 mos

Accountant

Full-time
Sep 2023 - Present · 1 yr 10 mos

Accounting Manager

Full-time
Sep 2023 - Present · 1 yr 10 mos

Show all 4 experiences →

Company Owner

The Knotted Wick Candle Co.
Jun 2021 - Present · 4 yrs 1 mo



Home Point Financial
3 yrs 11 mos

TPO collateral support

Full-time
Jul 2020 - May 2024 · 3 yrs 11 mos

Loan support specialist

Jul 2020 - May 2024 · 3 yrs 11 mos



Administrative Tax Processor
Hunter Hagan & Company, Ltd. · Full-time
Jan 2015 - Jun 2020 · 5 yrs 6 mos



Administrative Assistant
McGladrey
Jul 2014 - Jan 2015 · 7 mos

Show all 10 experiences →

Education



Studio Academy of Beauty
Aesthetics, Aesthetician/Esthetician and Skin Care Specialist
2009 - 2009

Skills

Data Entry

4 endorsements

Outlook

12 endorsements

Show all 42 skills →

Recommendations

Received Given

Nothing to see for now

Recommendations that Brittany receives will appear here.

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Tom Hood, CPA,CGMA,CITP [in](#)

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Supervisor/Accountant at Hunter Hagan & Company

Message



Todd Kissack · 3rd+

Sr Staff Accountant

Message

Julie Flider · 3rd+

Accountant

Message



Michele Arana-Bianchi [in](#) · 3rd+

Entrepreneur | Economic Development Advocate | Founder of Internode Greenery & Home and Chicago Street Markets

Message



Delphine W. · 3rd+

Entrepreneur, Business and Legal Advisor

Message

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People you may know

From Brittany's school



Christa Bradley

◆ Mortgage Loan Officer | TX, NC, CO & FL ◆ First-Time Homebuyer Specialist ◆

Connect



Brae McGhee [in](#)

Packing Associate At Pactiv Evergreen

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Juliana Ledesma

--

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Bianca Johnson 

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Erica Sicre 

Business Coach | Co-Founder of Wax Pro Academy

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LinkedIn Member
 Co-Founder of Focus HOA Management
 Mesa, AZ



LinkedIn Member
 VP of Management Services /Senior Community Manager at Foc...
 Mesa, AZ



LinkedIn Member
 Small Business Owner • Licensed Esthetician • Accounting @ Foc...
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 Focus HOA Management is a company based out of 4135 S Power Rd Ste 133, Mesa, Arizona, United States.



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I am an experienced HOA & Condo Client Manager & Accounts...
Crestview, FL

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VP, HOA Operations Manager
Mesa, AZ

LinkedIn Member

Chief Financial Officer
Gilbert, AZ



LinkedIn Member

Accountant Profile
Fontana, CA

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ADDENDUM A:

PLAINTIFF RESPONSE TO DEFENDANT REPLY MOTION CONTEMPT OF COURT, BREACH OF STAY, AND SANCTIONS

DEAR HONORABLE JUDGE RODERICK COFFEY;

COMES NOW Plaintiff, Sandra Rodriguez, a self-represented litigant and homeowner, and respectfully submits this reply to Defendant's Opposition and Cross-Motion for Sanctions. This reply is submitted to correct the factual record, respond to the Defendants' misleading assertions, and assert Plaintiff's rights under federal law, Arizona state law, the Arizona Nonprofit Corporation Act, and the governing documents of the Gardens Gilbert Community Association (GGCA).

At the core of this case is a simple request: the release of an architectural form needed for vital repairs in a mold-contaminated home. Despite this urgent need, the HOA and Focus HOA Management, LLC have obstructed the request for over 74 days. Instead of cooperation, they have retaliated, lied to the Court, and denied Plaintiff access to forms routinely provided to other homeowners. This conduct has placed a vulnerable family in continuous danger.

This misconduct goes beyond administrative delay—Defendants' actions amount to civil contempt of court. They have knowingly submitted false affidavits, misrepresented facts, and attempted to undermine Plaintiff's credibility. These actions, particularly the misrepresentations regarding their employees, undermine judicial integrity and must be addressed.

Additionally, Defendants' improper use of a procedural stay to avoid their obligations reflects a deliberate attempt to obstruct justice. Despite clear evidence and repeated filings, they have continued retaliating against Plaintiff for asserting her rights, including calling law

enforcement and fabricating affidavits. This behavior violates Plaintiff's rights under the Fair Housing Act, the First and Fourteenth Amendments, and Arizona community association laws.

Plaintiff respectfully requests this Court to act in accordance with the law and grant the necessary relief to prevent further harm.

I. FACTUAL CLARIFICATIONS AND MATERIAL MISREPRESENTATIONS

A. Failure to Provide Architectural Form: Defendants claim Plaintiff refused delivery of a certified letter containing the architectural request form. While they provided a copy of the certified mail, the claim remains unsubstantiated. Under Rule 11(a), Ariz. R. Civ. P., allegations without evidentiary support are a misrepresentation to the Court.

Certified mail can be returned for reasons other than refusal by the recipient.

According to the USPS, certified mail is returned if:

- **The recipient is unavailable** or not home at the time of delivery.
- **The recipient's address is incorrect or outdated**, causing the package to be returned as undeliverable.
- **The recipient fails to retrieve the package** from the Post Office within the holding period.

Despite the certified mail not being delivered, Plaintiff made a good faith attempt to personally pick up the form from Focus HOA Management, LLC. However, upon arriving at the office, Plaintiff was harassed, belittled, and undermined by the staff. The situation escalated when the police were called, further hindering Plaintiff's attempt to resolve the issue.

Under A.R.S. § 10-11601, nonprofit HOAs are legally obligated to maintain and provide access to records, including architectural request procedures. The CC&Rs and Resolutions (Sept. 1, 2004) mandate the HOA respond to requests within 45 days. Despite **over 70 days** passing

since Plaintiff's initial request, Defendants have failed to comply. Exhibit #1 shows the third and most recent resubmission.

B. Video Evidence is Valid and Authentic: Plaintiff submitted video evidence clearly showing Focus HOA Management, LLC employees Jennifer Munn and Brittany Schultz refusing to provide the architectural form. In the footage:

- **Jennifer Munn** is seen behind the reception counter and changes her tone after learning Plaintiff's identity.
- **Brittany Schultz**, identified as a senior staff member and accountant, is seen supervising and interacting with Plaintiff.

Defendants' claim that these employees are unaffiliated with the Gardens Gilbert Community Association contradicts their conduct in the video. Their actions and professional roles confirm their affiliation with Focus HOA Management, LLC.

As evidenced in **Exhibit #2, Exhibit #3, and Exhibit #4**, Brittany Schultz's LinkedIn profile lists her as the **accountant** at Focus HOA Management, LLC, further confirming her professional role and affiliation. This misrepresentation by Defendants violates **Ariz. R. Sup. Ct. Rule 42, ER 3.3 (duty of candor to the tribunal)**, and **42 U.S.C. § 3617**, which prohibits interference with housing rights.

C. Obstruction of the Architectural Process: Defendants' refusal to provide or process Plaintiff's architectural request violates GGCA's governing documents and A.R.S. § 33-1805, which mandates timely responses. Defendants have exhibited a pattern of neglect and obstruction, as highlighted in Plaintiff's Motion to Compel (April 10, 2025) and Reconsideration Motion (May 1, 2025). The delay is especially concerning given Plaintiff's race and socioeconomic status.

II. LEGAL VIOLATIONS

A. Federal and State Fair Housing Violations: Under 42 U.S.C. § 3604(b), it is unlawful to impose different conditions or delays based on race, national origin, or familial status. Plaintiff will provide evidence that white neighbors' requests were processed faster than hers during discovery. 42 U.S.C. § 3617 prohibits retaliation for asserting housing rights.

Arizona's Fair Housing Act mirrors these protections, and A.R.S. § 41-1491.14 supports Plaintiff's claims of discriminatory treatment.

B. Constitutional Violations and Right to Access the Courts: Plaintiff, a low-income, self-represented litigant, has the constitutional right to petition the Court for relief. Defendants' request for sanctions seeks to punish Plaintiff for exercising this right. In *BE&K Constr. Co. v. NLRB*, 536 U.S. 516 (2002), the Supreme Court held that access to the courts is protected under the First Amendment.

Plaintiff's allegations also fall under 42 U.S.C. § 1983, allowing civil action for deprivation of constitutional rights.

D. Emergency Conditions and Health Hazards: Plaintiff and her children are suffering from exposure to toxic black mold, leading to severe respiratory and neurological symptoms. These effects are well-documented by medical professionals and the CDC. The ongoing exposure poses an urgent health crisis requiring immediate remediation. Under *Ex parte Young*, 209 U.S. 123 (1908), courts can act when there is imminent harm. Defendants' failure to address the mold exposure constitutes a violation of their obligations under A.R.S. § 33-1805(C) to ensure a safe living environment.

III. REQUEST FOR RELIEF

Plaintiff respectfully requests the Court to:

1. **Deny Defendant's Cross-Motion for Sanctions as retaliatory and unfounded.**
2. **Grant Plaintiff's Motion for Contempt for obstruction and misrepresentation.**
3. **Strike the misleading affidavits from Anna Schultz and Brooke Sortor.**
4. **Order immediate approval of the architectural request form, as required by HOA documents.**
5. **Subpoena Brittany Schultz and Jennifer Munn to testify regarding their roles at Focus HOA Management, LLC.**
6. **Impose sanctions on Defendant's counsel for ethical violations under the Arizona Rules of Professional Conduct.**
7. **Award compensatory damages for the harm caused by retaliation and obstruction.**
8. **Investigate and address discriminatory conduct under federal and state Fair Housing laws.**
9. **Reaffirm Plaintiff's right to access the Court under the First and Fourteenth Amendments.**

IV. CONCLUSION

Plaintiff Sandra Rodriguez seeks only equal treatment, access to justice, and the safety of her children. This case is about ensuring HOAs comply with the law and protect vulnerable residents. Plaintiff requests the Court's intervention to uphold fairness, enforce legal standards, and prevent further harm.

Respectfully submitted,



Sandra Rodriguez

EXHIBIT #4

Locations

4135 S Power Rd Ste 133

Mesa, Arizona 85212, US

[Get directions](#)

Employees at Focus HOA Management



Brittany Beuzekom Schultz

Small Business Owner • Licensed...



Brooke S.

VP of Management Services /Senior...

[See all employees](#)

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EXHIBIT #5

EXHIBIT #5:

MEDICAL AFFIDAVIT OF SANDRA RODRIGUEZ

I, **Sandra Rodriguez**, hereby declare under penalty of perjury the following facts in support of the urgent need for intervention by this Court regarding the ongoing hazardous living conditions caused by toxic black mold exposure in my home:

1. **Personal and Family Information:** I am the Plaintiff in this case and a resident of **4375 E. Betsy Lane, Gilbert, Arizona 85296**. I am the mother of two children, **D.R.** and **S.R.**, who have also been affected by mold exposure in our home.
2. **Exposure to Toxic Black Mold and Other Mold Species:** Despite my repeated requests, the **Gardens Gilbert Community Association (GGCA)** and **Focus HOA Management, LLC** have failed to provide me with the necessary architectural forms required to initiate mold remediation, despite my repeated requests over the past **70 days**. This delay has worsened our exposure to mold and is directly linked to the ongoing health issues my family is experiencing.
3. **Health Symptoms and Medical Diagnoses:** As a result of the mold exposure, my family and I have experienced severe and worsening health symptoms, including:
 - **Respiratory Issues:** Persistent coughing, wheezing, shortness of breath, chest tightness, nasal congestion, and difficulty breathing.
 - **Neurological Symptoms:** Severe headaches, dizziness, cognitive fatigue, mental fog, and difficulty concentrating.
 - **Children's Symptoms:** Chronic coughing, sinus infections, allergic reactions, fatigue, and difficulty focusing, all of which have been diagnosed by their pediatrician.

These symptoms have been diagnosed by **Desert Pulmonary & Sleep Consultants**, where I was treated for **asthmatic bronchitis** and **chronic sinusitis**, both of which are directly linked to environmental mold exposure. I have been prescribed **Qvar** (an inhaler), **albuterol** (for acute symptoms), and **Trelegy Ellipta** (for asthma control).

On **June 4, 2025**, a follow-up visit with **Valley ENT** confirmed that I am suffering from globus sensation, tinnitus (ringing in the ears), and severe headaches, all symptoms consistent with prolonged mold exposure.

4. **Ongoing Treatment and Medical Recommendations:** I have sought ongoing treatment for my **respiratory and neurological symptoms**, which have been diagnosed as a result of mold exposure. My physicians have recommended **immediate remediation** to address the source of these health problems. The continued exposure is causing further deterioration in our health, and without proper intervention, there are serious risks of long-term damage.
5. **Urgency of Health Crisis and Need for Remediation:** The ongoing exposure to mold has created an **urgent health and safety emergency**. The **Centers for Disease Control and Prevention (CDC)** confirms that exposure to black mold can result in **respiratory illnesses, chronic sinus problems, and neurological damage**. Children and immunocompromised individuals are especially vulnerable to these health consequences.

My children and I are suffering from these known health effects, and the failure of the HOA to provide the architectural form for mold remediation has **exacerbated our conditions**. Immediate remediation is necessary to prevent **long-term respiratory issues** or more severe neurological consequences.

6. **Reluctance and Delays from the HOA:** Despite the clear health risks and the urgency of this situation, the HOA has failed to act. I have requested the **architectural form** required for remediation on **three separate occasions**, but the HOA has delayed and refused to provide it within the **45-day window** mandated by their governing documents. This delay has led to ongoing exposure to toxic mold, further jeopardizing our health.
7. **Consequences of Delay:** The delay in obtaining the necessary approvals has **cost me a** federal grant that would have assisted in covering the cost of **mold remediation** and the **replacement of windows** due to my **indigent status**. The Defendants and their legal counsel, **Mr. Shaw**, took far too long to provide the necessary approvals, leaving us without the financial assistance we desperately needed.
8. **Homelessness:** Our doctors have explicitly advised that we cannot continue living in our home with the current mold contamination, as the severity of the mold poses a serious health risk. Without proper mold remediation, it is unsafe for us to remain in the residence, potentially leading to homelessness if the issue is not resolved promptly.
9. **Request for Immediate Relief:** Given the severity of the situation, I respectfully request the Court's immediate intervention to address the health and safety emergency caused by the mold exposure. The following relief is urgently needed:
 - o **Immediate approval of the architectural request form**, which is necessary to commence mold remediation and protect the health of my family.
 - o A judicial order compelling the HOA to comply with its own **CC&Rs** and **Arizona law** regarding health and safety standards, specifically **A.R.S. § 33-1805(C)**, which requires the HOA to ensure a safe living environment for residents.
 - o An **investigation into the delay** by the HOA and its management company, which has directly led to the exacerbation of our health problems and financial hardships.

Sandra Rodriguez v. Gardens Gilbert Community Association (GGCA) et. al.

Maricopa Superior Court Case No.: CV2024-005940

Appeals Court of Arizona (District One) Case No.: 1 CA-CV 24-0803

Supreme Court of Arizona Case No.: CV 24-0286-PR

10. **Affirmation of Truth:** I affirm under penalty of perjury that the statements in this affidavit are true and correct to the best of my knowledge. The continued exposure to toxic black mold in our home represents an **ongoing health and safety crisis** that requires **immediate legal intervention** to prevent further harm to my family.

Executed this 12th day of June, 2025, in Maricopa County, Arizona.

A handwritten signature in black ink, appearing to read 'Sandra Rodriguez', with a stylized flourish at the end.

Sandra Rodriguez