

**SUN LAKES VILLAS ASSOCIATION NO. 37, INC.  
GENERAL VIOLATION FINE AND ENFORCEMENT SCHEDULE**

**Effective September 1, 2020**

The following Fine Schedule shall be imposed on members for violation of the Association's governing documents:

Sun Lakes Villas Association No. 37, Inc. has established the following Enforcement Policy for Covenants, Conditions and Restrictions (CC&R's) violations enforcement and any applicable monetary penalties for continuing violations. This Policy will be deemed part of the Association Rules and is subject to amendment or modification at any time by majority vote of the Board. This Enforcement Policy for non-monetary violations is adopted in accordance with Arizona's Planned Communities Act, Arizona Revised Statutes 33-1801 through 33-1807 and the provisions of the CC&R's and governing documents as currently in force and effect.

**FIRST NOTICE:** A first notice of a violation shall be mailed to the Owner requesting compliance within fourteen (14) calendar days. The first notice is a courtesy. – **NO FINE.**

**SECOND NOTICE:** A second notice of a violation shall be mailed to the Owner requesting compliance within fourteen (14) calendar days. – **NO FINE.**

**THIRD NOTICE:** If the violation still exists fourteen (14) days after the date of the second notice, a third notice requesting compliance within fourteen (14) days shall be mailed to the Owner. A fine of **\$20.00** will be assessed with the third notice and is due immediately.

**FOURTH NOTICE:** If the violation still exists fourteen (14) days after the date of the third notice, the fourth notice requesting compliance within fourteen (14) days shall be mailed to the Owner. An additional fine of **\$40.00** will be assessed with the fourth notice and is due immediately.

**FIFTH NOTICE:** If the violation still exists fourteen (14) days after the date of the fourth notice, the fifth notice requesting compliance within fourteen (14) days shall be mailed to the Owner. An additional fine of **\$60.00** will be assessed with the fourth notice and is due immediately.

**CONTINUING VIOLATIONS:** If the violation continues without resolution fourteen (14) days after the date of the fifth notice, additional fines of **\$80.00** shall be assessed **every fourteen (14) days** until the violation is resolved. In addition, the Board of Directors shall have the right to take legal action, the cost of which shall be billed to the Owner and collected in the same manner as assessments.

**FINES:** No fine shall be imposed without first providing a notice of the violation from the Association to the Owner describing the violation and stating that failure to correct the

violation within fourteen (14) days. *Another recurrence of the same violation within three (3) months* of the original violation shall make the Owner *subject to imposition of a fine*.

**SUPPLEMENTAL FINE SCHEDULES:** The Board of Directors may adopt supplemental fine schedules to address specific violations in the community (i.e. parking, rentals, architectural violations, etc.). If a supplemental fine schedule is not adopted, this general fine schedule, attached hereto shall control.

**INJUNCTIVE RELIEF:** If a violation is not cured after the Third Notice, the Board of Directors may request that Association's General Counsel file an action seeking Injunctive Relief against the Owner to cure the violation. However, nothing in this Fine Schedule limits the Board of Directors' right to seek immediate Injunctive Relief at any time regardless of the presence or absence of notices or fines hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion requires immediate action.

**BOARD DISCRETION:**

**The fines set forth in this Fine Schedule shall be considered to constitute damages sustained by the Association, and are intended to compensate the Association for the administrative burden of addressing the violation and the adverse impact of the violation on the community.**

**The Board of Directors reserves the right to deviate from the fine amounts set forth herein if, after a hearing on the matter, the Board finds good cause to decrease the amount of the fine levied in a particular case. The Board also reserves the right to pursue any and all other remedies set forth in the Declaration at the same time or in lieu of levying the fines set forth in this Fine Schedule.**

**Notwithstanding the above provisions of the violation schedule, the Board at its sole discretion, may at any time, assess a fine in an amount up to \$2,000 for any incident the Board deems to be egregious, dangerous, that may threaten the life, health, safety, or welfare of any person, resident or owner, or that cause detriment or damage to any Association or other Owner's property. The Board may levy this fine despite any past violation history or lack thereof.**

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