

OLD STONE HOMEOWNERS ASSOCIATION
RESOLUTION OF THE BOARD OF DIRECTORS

Fine Policy

The undersigned, constituting at least a majority of the members of the Board of Directors of Old Stone Homeowners Association, an Arizona nonprofit corporation, hereby adopt this Resolution:

RESOLVED, that the Board of Directors hereby approves this Fine Policy for the Old Stone Homeowners Association.

The Board of Directors hereby instructs the managing agent to notify all homeowners of the implementation of the Fine Policy to become effective as of March 1st, 2020.

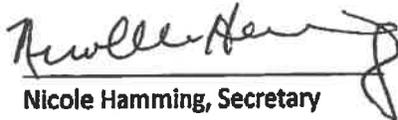
In Witness whereof, the undersigned have executed this Resolution at a meeting for the Board Of Directors, duly noticed and held this 21st day of January, 2020.



Terry Feehan, President



Randall Cameron, Vice President



Nicole Hamming, Secretary



Harlan Stork, Member at Large



Bryan Bowles, Member at Large

OLD STONE RANCH HOMEOWNERS ASSOCIATION

FINE POLICY Effective March 1, 2020

The following Fine Policy shall be followed for the Old Stone Ranch Homeowners Association.

VIOLATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS

FIRST NOTICE: COURTESY NOTICE WITH INTENT TO FINE: An initial courtesy notice of the violation shall be mailed, via regular mail, to the homeowner requesting compliance within twenty-one (21) calendar days. No fine shall be assessed.

SECOND NOTICE: If after 24 calendar days from the first notice mailing (21 days, plus 3 days for mailing time) the violation still exists, a second notice requesting compliance within fourteen (14) calendar days shall be mailed, via regular mail, to the homeowner. A \$25.00 fine will be assessed and due immediately with the second notice.

THIRD NOTICE: If after 24 calendar days from the second notice mailing (21, days plus 3 days for mailing time) the violation still exists, a third notice requesting compliance within fourteen (14) calendar days shall be mailed, via regular mail, to the homeowner. An additional \$50.00 fine will be assessed and due immediately with the third notice.

FOURTH NOTICE: If after 24 calendar days from the third notice mailing (21 days, plus 3 days for mailing time) the violation still exists, a fourth notice requesting compliance within fourteen (14) calendar days shall be mailed, via regular mail, to the homeowner. A \$100.00 fine shall be assessed and due immediately with the fourth notice and every thirty (30) calendar days thereafter until the violation is corrected. Homeowners shall be notified of each additional thirty (30) calendar days failure-to-comply-fine via regular mail, to the homeowner.

FIFTH NOTICE: If after 24 calendar days from the fourth notice mailing (21 days, plus 3 days for mailing time) the violation still exists, a right to cure letter may be sent to the homeowner with board approval. Further, the Association may send the owner's account to the Association's attorney for enforcement, and the attorney may impose additional reasonable and customary attorney fees against the violating owner. Regardless of whether a lawsuit is filed, the owner(s) shall be responsible for all attorney's fees and costs incurred in achieving the owner's compliance. A \$100 fine shall continue to be imposed every thirty (30) calendar days until the violation is corrected as initiated with the FOURTH NOTICE.

BOARD DISCRETION: Notwithstanding the above provisions of the violation policy, the Board at its sole discretion and with unanimous board member agreement, may at any time, assess a fine in an amount up to \$500.00 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.

In addition, nothing in this Fine Policy will limit the Board of Directors right to seek immediate Injunctive Relief at any time 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 reserve the right to take any action permitted by law of the CC&Rs, in addition to the above mentioned fine policy.

VIOLATION APPEAL PROCESS

- When a violation notice is sent to a homeowner, the notice includes a statement notifying the homeowner that they have the "RIGHT OF APPEAL."
- When a homeowner wants to appeal a violation, they must send the Management Company written notice that they are requesting an appeal of the violation.
- Appeals shall be received within twenty-four (24) days of the date of the SECOND NOTICE (first fine notice).
- Appeals shall demonstrate extenuating circumstances which require deviation from the CC&R's and/or guidelines.
- 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 homeowner appealing the violation will be given written notice that the appeal is scheduled.
- The appeal shall be heard in Executive Session.
- The Board President will introduce all parties.
- Lengthy discussions are not a part of an appeal process.
- The homeowner who is appealing will be provided five (5) minutes to state their case and present any documentation that is applicable.
- Each Board Member will have the opportunity to ask the homeowner specific questions regarding the appeal.
- Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in closed session. "Written Notice" will be given to the homeowner of the Board's decision within seven (7) business days.
- If the appeal is denied, the homeowner must bring the violation into compliance within twenty-one (21) calendar days. If the violation still exists after the twenty-one (21) calendar days, the homeowner will be responsible for the original fine cited in the violation notice and be subject to the remaining Enforcement Fine Policy timelines and fine schedule.


Terry Feehan, President