

**GREEN VALLEY COUNTRY CLUB ESTATES
PROPERTY OWNERS' ASSOCIATION**

an Arizona non-profit corporation

A RESOLUTION OF THE BOARD OF DIRECTORS

Re: **ENFORCEMENT POLICY**

At a meeting of the Board of Directors of Green Valley Country Club Estates Property Owners' Association (the "Association"), an Arizona non-profit corporation, duly called and held on the 28 day of April 2025, a quorum being present and voting, the following policy was adopted:

1. **Friendly Reminder Notification.** If any Lot owner, his/her family, or any licensee, invitee, tenant or lessee violates the Declaration or rules and regulations as noted by or reported to the Association's Board of Directors, an authorized Association representative will contact the Lot Owner in writing (via email or U.S. Postal Service). The Lot Owner will be informed of the violation and asked to remedy it within the time period stated in the Friendly Reminder notification. Such time period will be dependent on the type and scope of the violation.
2. **Notice of Violation.** If the Lot owner has failed to address timely the violation(s) reported in the Friendly Reminder notification, a written notice of violation shall be sent by the Board or its designated agent. Such Notice of Violation shall provide:
 - 2.1. The rule or restriction that allegedly has been violated.
 - 2.2. Action(s) required to remedy the violation.
 - 2.3. The date the violation was observed.
 - 2.4. Instructions on the process that the Board of Directors and Lot Owner must follow if the violation is not remedied pursuant to the Notice of Violation.
 - 2.5. Instructions on requesting a violation hearing with the Board of Directors.
3. **Right of Appeal.** If a homeowner does not agree with the requirements set forth in the notice for correction or disagrees with the notice of violation in any other way, the owner may request a hearing before the Board of Directors to appeal the Notice of Violation. The request must be in writing stating the reasons for the appeal and be mailed (or emailed) to the address on the Notice of Violation within ten (10) business days from the date of the Notice of Violation.
4. **Punitive Action.** The Board shall have the right to take punitive action, including a "fine at its discretion if any violation is not remedied pursuant to the "Notice of Violation". Prior to the Board taking any punitive action, the Lot Owner shall have the right to be heard before the Board. If notice of said hearing is not provided in the Notice of Violation a separate "*Notice of Hearing*" shall be forwarded to the Lot Owner notifying them of their opportunity to be heard. The date, time and location of the hearing shall be stated either of the aforementioned documents.
5. **Imposition of Fines.** The Board has the right to impose a fine on the property and Lot Owner for each violation. The Schedule of Fines and Corrective Actions is provided in **Attachment 1.0**. Each day a violation continues after written notice to cease has been mailed shall be considered a separate violation and subject to the imposition of the fine. Any fine which is not timely paid may be subject to collection action and will include late fees and interest

following the Association's payment and collection policy as stated in the current CCRs article 10.

6. **Hearing Panel.** A quorum of the Board of Directors shall act as the Hearing panel at the Board's regularly-scheduled monthly meeting. The Hearing will be held in executive session prior to the beginning or at the end of the open Board Meeting. The Board also may schedule a Hearing at any other time that is mutually convenient.
7. **Owner's Designated Agent.** A Lot owner may present to the Board (prior to or at the Hearing) written notification that another person may act as the Owner's designated Agent. The designated agent may speak on behalf of the Owner.
8. **Procedure for Hearing.** Procedure for the Hearing will be set by the Board of Directors. The Lot Owner and his/her designated representative will be informed of the procedure before the Hearing begins. The Lot Owner and/or his/her designated representative will be given an opportunity to present supporting documentation and to show cause why further enforcement action should not be authorized by the Board, which could include the levy of a monetary penalty and/or referral of the matter to the Association's attorney.
9. **Owner (or Agent Non-Appearance).** If the Lot Owner or his/her designated representative does not appear at the hearing, the Board may proceed with the hearing and impose a monetary penalty, if appropriate, and/or refer the matter to the Association's attorney for further action.
10. **Hearing Panel's Decision.** Notice shall be sent to the Lot owner by the Board or its designated agent, within 15 days after the date of the Hearing, stating the Hearing Panel's decision, including the amount of any monetary penalty that may have been imposed by the Board, and payment terms.
11. **Delinquency of Penalty.** Any monetary penalty imposed, which has not been paid within 30 days after its stated due date shall be deemed delinquent, and a late charge of \$15.00 shall be added to the penalty each-month that it remains unpaid.
12. **Repeat Violations.** A penalty for repeated violation of an Association rule or restriction may be imposed by the Board for each issue of noncompliance of the same rule or restriction. Daily penalties for violation(s) of a rule or restriction may accrue for ongoing issues of noncompliance until each such violation is corrected.
13. **Collection of Penalties.** The Association may have a lien for penalties and associated late charges, attorney fees and costs, imposed for violation of a rule or restriction, after the entry of a judgment in a civil suit for penalties, late charges and associated attorney fees and costs, by a court of jurisdiction, and the recording of that judgment in the office of the Pima County Recorder. This lien is effective on conveyance of any interest in the subject Lot. The Association may collect the amounts due under the judgment prior to conveyance of the Lot, by any lawful means.
14. **Cumulative Rights and Remedies.** All rights and remedies of the Association at law or in equity are cumulative, and the exercise of one right or remedy shall not waive the Association's right to exercise another right or remedy. This means that the Association's Board can decide to bring a lawsuit against an owner to enforce an applicable rule, restriction or statute and/or record a Notice of Violation in addition to or instead of imposing a monetary penalty. This also means that all pertinent provisions of the CC&Rs also apply.

15. **Referral to Attorney.** A follow-up inspection will be conducted on or after the deadline date of the stated violation in the "Notice of the Hearing Panels Decision". If the non-compliance still has not been cured, the Board may refer the matter directly to the Association's attorney for further action.

Board Member Signature

Rick Fuller *Rick Fuller* Date 4-28-25
Dave Swank *Dave Swank* Date 4-28-25
Pam Brown *Pam Brown* Date 04-28-2025
Gail Berry *Gail Berry* Date 4/28/25
Evelyn Kelley *Evelyn Kelley* Date 4/28/2025
Gretchen Misselwitz *Gretchen Misselwitz* Date 4/28/25
David Doscher *David Doscher* Date 4-28-25

ATTACHMENT 1.0

FINE SCHEDULE

Pursuant to *Article 10, Section 10.6.* of the SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR GREEN VALLEY COUNTRY CLUB ESTATES (CC&Rs), the Board may levy a monetary penalty or other sanction against a Lot Owner in accordance with procedures set forth by the Board of Directors. The table below provides the guidelines of monetary penalties. These guidelines are at the discretion of the board on timeliness and duration.

<i>Vehicles and Parking Violation</i>	\$50 per day after opportunity to be heard
<i>Construction / Additions</i>	\$50 per day after opportunity to be heard
<i>Painting</i>	\$50 per day after opportunity to be heard
<i>Weeds and Debris</i>	\$50 per day after opportunity to be heard
<i>Other Violations</i>	Not to exceed \$50 per day after opportunity to be heard.