

**VENU AT GRAYHAWK CONDOMINIUM ASSOCIATION**  
**BOARD OF DIRECTORS RESOLUTION REGARDING GREAT ROOM**  
**ACCESS AND KEY FOB DEACTIVATION POLICY**  
**EFFECTIVE 4/20/21**

WHEREAS, the Board of Directors (the "Board") of the Venu at Grayhawk Condominium Association, Inc. (the "Association"), an Arizona non-profit corporation, hereby approves the following action at a duly called meeting of the Board.

WHEREAS, the Association is bound by the Condominium Declaration for Venu at Grayhawk Condominium, recorded in the Office of the Maricopa County Recorder at Instrument No. 2004-0207062 (the "Declaration"), and all amendments thereto. The Declaration applies to the real property as described in the condominium plat for Venu at Grayhawk Condominium, recorded in the Office of the Maricopa Recorder.

WHEREAS, all Common Elements, including the Limited Common Elements, within the Association are governed by the Declaration;

WHEREAS, Article 6, Section 6.3 of the Declaration allows the Association, through the Board of Directors, to adopt and enforce reasonable rules and regulations governing all parts of the Association, including the Common Elements, Limited Common Elements and Units;

WHEREAS, the Association's Great Room is part of the Association's Common Elements;

WHEREAS, the Declaration, at Article 13, Section 13.1 provides that the Association may suspend the right to the use of the Common Elements by an Owner or the Owner's Permittees for any period during which any assessment or other charges against the Owner remains unpaid or for any period more than fifteen (15) days;

WHEREAS, the Association has issued key fobs to Owners to access certain Common Element amenities, including but not limited to the Great Room, pool, and the fitness center;

WHEREAS, pursuant to Section 13.1 of the Declaration, the Board of Directors wishes to deactivate all key fobs issued to the Owners or their Permittees who are delinquent in their assessments or other charges owned to the Association; and

Now, THEREFORE, based on the Board's authority to adopt and enforce reasonable rules and regulations governing all parts of the Association, including the Common Elements, Limited Common Elements and Units, the Board hereby adopts the following resolution and makes the provision below part of the Association's rules and regulations:

1. The Board of Directors, by way of this Resolution and the Management, shall deactivate key FOBS for any Owner (and their tenants, invitees, and permittees) if a homeowner (and their tenants, invitees, and permittees) do not conduct themselves in accordance to the Code of Conduct as follows: (Note: The Association will turn off the Owner's FOB and all amenities use privileges for the Owner's guest, tenants, or residents for a period of time no less than fourteen (14) days and no more than six (6) months per occurrence.)
  - a. All persons must conduct themselves in a civil and courteous manner at all times and must not jeopardize or interfere with the rights and privileges of others.
  - b. Loud, profane, indecent or abusive language towards staff, management, residents or members is prohibited.
  - c. Harassment or physical abuse of any person by another is prohibited.
  - d. No person's action shall compromise the safety of another. All persons participating in an event or activity shall obey all safety rules and shall cease unsafe activity when directed to do so by Association's management, staff or other authority.
  - e. No person shall act in a way that brings disrepute or negative attention to the Association or its Members.



- f. All persons shall respect the duties and authority of Association's staff and management. Any directives, verbal or written, from Association staff shall stand. If any person disputes an Association's staff's actions, then that person shall be entitled to a hearing before the Board, or any committee or individual appointed by the Board for such purpose, to determine the validity or acceptability of any disputed action. Until the Board or its appointee decides otherwise, the action shall be deemed valid and acceptable. Any inattention to duty or lack of courtesy by an Association staff should be reported to the Manager or the Board.
2. Delinquent in the payment of Homeowner Association fees: The Board of Directors, by way of this Resolution and the Management, shall deactivate key FOBS for any Owner (and their tenants, invitees, and permittees) if a homeowner is delinquent in the payment of the Homeowner Association fees in an amount greater than or equal to \$1,000.00. The Association will turn off the Owner's FOB and all amenities use privileges for the Owner or the Owner's guest, tenants, or residents until the amount owing is paid in full.
  3. Delinquent in payment of Homeowner's Association fines: The Board of Directors, by way of this Resolution and the Management, shall deactivate key FOBS for any Owner (and their tenants, invitees, and permittees) if a homeowner is delinquent in the payment of the Homeowner Association fines in an amount greater than or equal to \$1,000.00. The Association will turn off the Owner's FOB and all amenities use privileges for the Owner or the Owner's guest, tenants, or residents until the amount owing is paid in full.
  4. Violation of the Short Term Rental Policy: The Board of Directors, by way of this Resolution and the Management, shall deactivate key FOBS for any Owner (and their tenants, invitees, and permittees) if a homeowner is found to be in violation of the Short Term Rental Policy defined in the Venu at Grayhawk Condominium Association Adopted Rules and Regulations Violation Schedule. The Association will turn off the Owner's FOB and all amenities use privileges for the Owner or the Owner's guest, tenants, or residents for a total of forty (40) days.
  5. Violation of the Tenant Registration: The Board of Directors, by way of this Resolution and the Management, shall deactivate key FOBS for any Owner (and their tenants, invitees, and permittees) if a homeowner is found to be in violation of the registration of the tenants in accordance to ARS 33-1260.01. The Association will turn off the Owner's FOB and all amenities use privileges for the Owner or the Owner's guest, tenants, or residents UNTIL RECEIPT OF THE Tenant Registration.

A majority of the Board of Directors adopted the above resolution at a duly called meeting of the Board of Directors on this 20<sup>th</sup> day of April, 2021.

**Venu at Grayhawk Condominium Association, Inc.**

By: 

**Its: President**

I, Laurie S Ballantine, being the duly elected Secretary of Venu at Grayhawk Condominium Association, hereby attest that the foregoing Amendment has been approved and adopted by a majority of the Board of Directors at the meeting of the Board of Directors held on April 20, 2021.

By: 

**Its: Secretary, Venu at Grayhawk Condominium Association**