

Exhibit (A)
TONE RANCH ESTATES HOMEOWNERS ASSOCIATION
FINE POLICY
Revised November 13, 2012

RESOLVED:

The Board of Directors of Tone Ranch Estates Homeowners Association has approved the following **FINE SCHEDULE** for any violation of the CC&R's or guidelines of the Tone Ranch Estates Homeowners Association.

The Board of Directors intends to impose monetary penalties as authorized by A.R.S. Section 33-1803. The Board of Directors, when imposing monetary, penalties reserves the right to enforce the community's restrictions in any other legal manner. The following fine schedule is intended to be a guide only and is not intended to create any rights. The Board of Directors reserves the right to impose a monetary penalty on the first date of a violation, to accrue the fine daily until the violation is cured, and to impose fines in amounts in excess of those set forth in the fine schedule.

ALL VIOLATIONS OTHER THAN PARKING & STORAGE

COURTESY NOTICE:

An initial courtesy notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within ten (10) business days of the noted violation - **NO NOTICE OF FINE.**

SECOND NOTICE:

If the violation has not been resolved a second notice requesting compliance within ten (10) business days shall be mailed via certified mail to the homeowner, return receipt requested. A **\$25.00 FINE** will be assessed and due immediately with the second notice, plus certified fee charges.

THIRD NOTICE:

If the violation still has not been resolved a third notice requesting compliance within ten (10) business days shall be mailed via certified mail to the homeowner, return receipt requested. A **\$50.00 FINE** will be assessed and due immediately with the third notice, plus certified fee charges.

FOURTH NOTICE:

If the violation still continues a fourth notice requesting compliance within ten (10) business days shall be mailed via certified mail to the homeowner, return receipt requested. A **\$50.00 FINE** will be assessed and due immediately with the fourth notice, plus certified fee charges.

CONTINUING VIOLATIONS:

If the violation continues without resolution after the fourth notice, a **FINE of \$100.00** shall be

assessed every ten (10) business days until the violation is resolved. In addition the Board shall have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the homeowner and collected in the same manner as assessments.

A homeowner who receives a written notice for any violation of the CC&Rs or guidelines of the Tone Ranch Estates Homeowners Association may provide the association with a written response by sending the response by certified mail within ten (10) business days after the date of the notice. The response shall be sent to the address contained in the notice. Within ten (10) business days after receipt of the certified mail containing the response from the homeowner, the Association shall respond to the homeowner with a written explanation regarding the notice that shall provide information as to the provision of the community documents that has allegedly been violated, the date of the violation, the first and last name of the person observing the violation, and the process the homeowner must follow to contest the notice (unless this information was previously provided in the notice of violation).

FINES:

No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to stop the violation within no less than ten (10) business days or ***another recurrence of the same violation within six (6) months*** of the original violation shall make the Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under Article IV. In addition, the homeowner is responsible for all fees associated with certified mailings.

PARKING AND STORAGE VIOLATIONS

ON LOT VIOLATIONS

COURTESY NOTICE:

An initial courtesy notice of the violation including the license plate number in the case of a parking violation shall be mailed via regular mail to the homeowner requesting compliance within twenty four (24) hours - **NO NOTICE OF FINE.**

SECOND AND ALL SUBSEQUENT NOTICES:

If violation still exists after seven (7) calendar days of the initial violation a notice shall be mailed via certified mail to the homeowner, return receipt requested for each subsequent violation occurring. A **\$25.00 FINE** will be assessed and due immediately with all subsequent notices, plus certified fee charges.

FINES:

No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to stop the violation within seven (7) calendar days or ***another recurrence of the same violation within six (6) months*** of the original violation shall make the Owner ***subject to imposition of a fine***. Failure to pay any fine shall subject the Owner to the same potential penalties and enforcement as failure to pay any assessments under Article IV. In addition, Homeowner is responsible for all fees associated with certified mailings.

STREET PARKING VIOLATIONS

In order to provide a safe community for all residents and guests, efforts may be made to control parking activities on all streets within the Tone Ranch Estates Community. According to our CC&Rs, the Homeowners Association has the right and authority to enforce Town of Gilbert Street parking regulations. The Association reserves the right to involve the Gilbert Police in any enforcement action. In the event of a violation, the following shall occur:

COURTESY NOTICE:

An initial courtesy notice of violation may be placed on the vehicle which includes – at a minimum - the vehicle license plate number and the CC&R that is in violation. The owner/homeowner has 24 hours to correct the violation. **NO FINE IMPOSED.**

FINE NOTICES:

If violation still exists after the issuance of the 24 hour notice to correct the violation, a **\$25.00 FINE** shall be assessed. A notice may be placed on the vehicle and shall be mailed via certified mail to the homeowner.

RECURRING VIOLATIONS:

In the event a subsequent separate instance of the same violation occurs within a one month period, fines will be doubled (i.e. \$50.00 per fine). TRE HOA reserves the right to increase the fine amount for subsequent recurring violations as necessary until the violation is corrected.

In all cases of violations, the homeowner has the right to appeal the fine to the Association. The homeowner may provide the Association a written response by sending the response by certified mail within ten (10) business days after the date of the notice. The response shall be sent to the address contained in the notice. Within ten (10) business days after receipt of the certified mail containing the response from the homeowner, the Association shall respond to the homeowner with a written explanation regarding the notice.