When Recorded Return To:
Alta Mesa Unit 11 Homeowners Association
A.K.A. Town Square Alta Mesa HOA
C/o Vision Community Management
16625 S. Desert Foothills Pkwy
Phoenix, AZ 85048

BOARD OF DIRECTORS RESOLUTION: HABITUAL VIOLATOR FINE POLICY AND SCHEDULE

WHEREAS, the Board of Directors (Board) of the Alta Mesa Unit 11 (AKA Town Square) Association is empowered by the Declaration of Covenants, Conditions, and
Restrictions (CC&Rs) and Arizona law to adopt rules, regulations, and enforcement policies;

WHEREAS, the Board finds it necessary to protect community aesthetics, property values, and deter repeat, continuous, or intentional non-compliance by a small minority of owners who systematically ignore standard enforcement procedures; and

WHEREAS, the Board desires to establish a clear, objective, and predictable policy defining and penalizing "Habitual Violators" to ensure uniform enforcement across the community.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the following Habitual Violator Fine Policy and Schedule:

1. DEFINITIONS

a. "Habitual Violator" shall be defined as any Owner, resident, or property that incurs three (3) or more formal, separate written notices or non-compliance fines for the same or similar violation category within any rolling twelve (12) month period.

b. "Continuous Habitual Violation" shall be defined as a property maintenance, architectural, or health-and-safety violation that remains uncorrected for more than thirty (30) calendar days after the expiration of the final standard warning or initial fine notice period, unless an appeal has been properly filed; if such appeal is denied, the violation continues and must be resolved within the time frame stated on the original violation notice.

2. HABITUAL VIOLATOR FINE SCHEDULE

Once an Owner or property meets the definition of a Habitual Violator, the Board shall bypass the standard fine schedule for any subsequent or continuous occurrences of that violation type. Fines shall be levied onto the Owner's account as follows:

a. First Habitual Status Violation: $150.00 fine.
b. Second Habitual Status Violation: $250.00 fine.
c. Continuous Non-Compliance: For any Continuous Habitual Violation, a recurring fine of $50.00 per week (or $10.00 per day) will automatically accrue on the account until the property is brought into full compliance and/or violation is cured.

d. Policy Cap: The maximum total fine accrued for a single continuous violation sequence under this policy shall be capped at $1,500.00, at which point the matter will be referred to legal counsel for judicial enforcement.

3. DUE PROCESS, NOTICE, AND HEARING RIGHTS

No fine under this Habitual Violator schedule shall be officially levied or posted to an account without providing the statutory protections required by Arizona law:

a. Written Notice: The Association shall provide a written notice via certified or first-class mail detailing the specific violation, the date observed, the specific rule breached, and the clear escalation into "Habitual Status."

b. Right to Contest: The notice will inform the Owner of their right to submit a written response or request a formal hearing before the Board within twenty-one (21) calendar days of the notice date.

c. Suspension of Accrual: If a hearing is requested, weekly/daily fine accruals for that specific violation will be paused until the Board holds the hearing and issues its final determination.

4. EFFECTIVE DATE AND DISTRIBUTION

This Resolution was formally approved by a majority vote of the Board at a duly noticed, open meeting on 09-28-26. In accordance with Arizona case law, this policy shall become effective thirty (30) days after a copy of this approved fine schedule has been mailed or distributed to all Owners of record.

IN WITNESS WHEREOF, the undersigned have executed this Resolution this ____ day of _____, 2026.

_____

Linee Ferguson President, Board of Directors