

LEGACY VILLAS HOMEOWNERS ASSOCIATION

REVISED FINE POLICY FOR VIOLATION OF COMMUNITY DOCUMENTS

One of the most sensitive issues in a planned community is the enforcement of the governing documents when they are violated, intentionally or unintentionally, by residents and their guests. The governing documents are set to maintain the livability and quality of our community.

Below are some of the Standards spelled out in the Legacy Villas CC&Rs and other related documents. This list is not all inclusive. Please refer to the CC&Rs and other documents for other conditions.

Maintenance of Lots: Owners shall keep their lots free of all weeds, garbage, rubbish, trash and other debris. (CC&Rs, Article II, Section 13) ***Rights and Obligations of Owners ...all fixtures and equipment installed within a Unit or Lot and all landscaping on a Lot shall be maintained and kept in repair by the Owner thereof at his sole cost and expense.*** (CC&Rs, Article VII, Section 2)

Note: Grass Yard – If you choose to have a grass yard, it is your responsibility to maintain the yard through watering, fertilization, weekly mowing and edging, free of weeds, brown patches, and tree droppings. Debris must not be blown into the street. Trees, bushes, plants must be trimmed of dead leaves, limbs, and fronds and debris must be removed from the yard.

Waste Disposal – No garbage, rubbish, trash, or debris shall be placed or allowed to accumulate on the Property. (CC&Rs, Article II, Section 13). ***Trash cans must be removed from view of the front of each home within 24 hours after the time garbage has been picked up.*** (CC&Rs, Article II, Section 13, Amendment 1)

Vehicles/Parking – It is the Association's intent to eliminate on-street parking as much as possible; motor vehicles shall be kept in garages or driveways. No overnight parking shall be permitted on the streets. ...No automobile, motorcycle, motorbike or other motor vehicle shall be constructed, repaired or, if inoperable, stored upon a lot or the street...however...shall not apply to repairs of an emergency or temporary nature. (CC&Rs, Article II, Section 8)

Note – Vehicles must be parked on concrete and must not be parked on the grass or rock landscape surface. Parking is not permitted on the incline leading to or on the sidewalks.

Animals, Pets – No pet may be kept which, in the determination of the Board, results in an unreasonable annoyance to other owners. Pets shall not be allowed loose or unsupervised on any part of the Property. ..Pets shall be prevented by their owners from soiling any and all portions of the Common Area. (CC&Rs, Article II, Section 7)

Note: Residents must carry receptacle to immediately remove refuse while walking a pet, including landscaped area on Waltann, which is part of our community. Phoenix City Code prohibits keeping a dog within the City limits which is in the habit of barking or howling or disturbing the peace and quiet of any person within the city. Maricopa County also has a leash law.

Noise – All speakers, amplifiers, radios, and other means of emitting sound, whether located inside or outside of a Unit, shall be subject to regulation by the Association as to noise levels and time of use. (CC&Rs, Article II, Section 15)

Note: Phoenix City Code prohibits noises such as yelling, shouting, hooting, whistling or singing (particularly between the hours of 10:00 p.m. and 7:00 a.m.) so as to annoy or disturb the quiet, comfort or repose of persons in the vicinity. Please keep noise to a minimum and if asked to quiet down, please do so.

Vandalism/Property Damage - Homeowners are responsible for damage caused to the common area. It is the homeowner's responsibility to inform their tenants and guests of the rules and regulations. The homeowner is responsible for any common area damages caused by tenants/guests. (CC&Rs, Article VII, Section 1)

Enforcement Actions:

The Board of Directors is charged with the responsibility of enforcing the regulations established for our Association. These regulations are in place to protect our property, property values and to serve as guidelines for living in a community association. It takes the cooperation of every homeowner/resident to be successful. Property inspections are routinely conducted and we report what is found on that date.

Procedures:

1	Reminder	Friendly notice indicating observed violation.
2	Violation Notice	A formal Violation Notice, placed in the door, citing the specific violation(s) and requesting correction of said violation(s) within 10 days, followed by a reinspection of the property. HOA will also notify property owner/management company if a rental property. (No Fine)
3	Penalty Notice	If no action is taken after the Violation Notice, a Penalty Notice will be sent, by Certified Mail, requesting compliance within 10 days AND IMPOSING A FINE with payment to be made immediately to Colby Management. HOA will also notify property owner/management company if a rental property. Reinspection after 10 days. Failure to comply will result in an additional fine for each occurrence.
4	Second Penalty Notice	If the violation(s) still exists after the first Penalty Notice is issued, a second Penalty Notice will be issued requesting compliance within 10 days and DOUBLING THE FINE , payable immediately.
5	Continuing Violations	If the violation(s) continue without resolution, a FINE OF \$100.00 will be assessed EVERY 10 DAYS until the violation is resolved. In addition, the Board, in its discretion, shall have the right to remedy the violation and the cost of such remedy shall be billed to the Owner and collected in the same manner as assessments and/or file a lawsuit against the Owner as to the violation.
6	Hearing	An Owner sent a Notice of Violation may appeal the notice by sending a written response by Certified Mail within 21 calendar days after the date of the notice to Legacy Villas HOA, c/o 2110 W. Carol Ann Way, Phoenix, AZ 85023. The Board shall provide a written response within 10 days after receipt of the Certified Mail providing additional information and/or establishing a Hearing date.

Fine Schedule:

Violation	Fine
Landscape Maintenance*	\$50/occurrence
Noise Violation	\$50/occurrence
Improper Vehicle Parking/Inoperable Vehicle(s)	\$50/occurrence
Animal/Pet Violations	\$25/occurrence
Trash Can Storage (Repeated violations)	\$25/occurrence
Vandalism/Property Damage	Restitution + Fine (10% of cost of restitution - Min. \$25)
Architectural/Yard Installation Violation	\$50 - \$100/week
Architectural Committee Variance Application	\$100/week <i>(An Architectural Committee Variance Application must be submitted and approved before any architectural improvements can be made. If the application is not submitted and approved prior to commencement of the work, fines can be imposed from the day work began, after the appropriate notice and hearing opportunity.)</i>

*Weather conditions will be taken into consideration.

The above list is not complete or all comprehensive. All other violations not listed or specified above will result in reasonable fines as determined by the Board of Directors.

The payment of any and all legal fees and costs incurred by the HOA to enforce violations or collect fines shall be the responsibility of the homeowner.