

**CONSENT TO ACTION  
BY THE BOARD OF DIRECTORS  
PARK PLACE VILLAGE CONDOMINIUM ASSOCIATION**

c/o AAM, LLC  
7740 North 16<sup>th</sup> Street, Suite 300  
Phoenix, AZ 85020  
(602) 957-9191

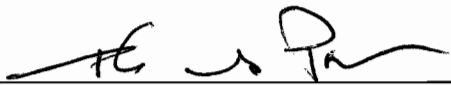
**FINE POLICY AND APPEAL PROCESS**

The undersigned, constituting the majority of the members of the Board of Directors of, Park Place Village Condominium Association, an Arizona Nonprofit corporation, hereby take the following action at a duly held Board of Directors meeting on 11/22/2010.

RESOLVED, that the Board of Directors hereby approves the Fine Policy and Appeal Process for Park Place Village Condominium Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Fine Policy and Appeal Process effective as of January 1, 2011.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this 22<sup>nd</sup> day of November, 2010.



Thomas Parker  
President and Director, Board of Directors



Christopher J. Ehlen  
Vice President and Director, Board of Directors



David A. Gemar  
Treasurer and Director, Board of Directors

**PARK PLACE VILLAGE CONDOMINIUM ASSOCIATION**  
**FINE POLICY AND APPEAL PROCESS**  
**Effective January 1, 2011**

**FINE POLICY**

Pursuant to the Declaration, the Association shall have the right to adopt a schedule of fines for violation of any provision of the Governing Documents. The following Fine Policy and Appeal Process shall be followed for Park Place Village Condominium Association:

**FIRST NOTICE:** An initial notice of the violation shall be mailed to the Owner requesting compliance within fifteen (15) days - **NO FINE**.

**SECOND NOTICE:** If violation still exists fifteen (15) days after the initial notice of violation, a second notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$25.00 FINE** will be assessed with the second notice of violation and is due immediately.

**THIRD NOTICE:** If violation still exists fifteen (15) days after the second notice of violation, a third notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the third notice of violation and is due immediately.

**FOURTH NOTICE:** If violation still exists fifteen (15) days after the third notice of violation, a fourth notice requesting compliance within fifteen (15) days shall be mailed to the Owner. A **\$50.00 FINE** will be assessed with the fourth notice of violation and is due immediately.

**CONTINUING VIOLATIONS:** If the violation continues without resolution after the fourth notice of violation, a **FINE of \$100.00** shall be assessed **every fifteen (15) days** until the violation is resolved. In addition, the Board of Directors shall have the right to remedy the violation and/or take legal action, the cost of which shall be invoiced to the Owner and collected in the same manner as assessments.

**FINES:** No fine shall be imposed without first providing a written warning to the Owner describing the violation and stating that failure to correct the violation within fifteen (15) days or ***another occurrence of the same violation within three (3) 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 the Declaration.

**SELF HELP:** Pursuant to Article 5.5 of the Declaration, if a Unit Owner fails to maintain in good condition and repair his Unit or any Limited Common Element he is obligated to maintain under this Declaration, and the required maintenance, repair or replacement is not performed within (15) days after written notice has been given to the Unit Owner, the Association shall have the right, but not the

obligation, to perform the required maintenance, repair or replacement ("Self Help"). An amount equal to one hundred twenty percent (120%) of the cost of any such maintenance, repair or replacement shall be assessed against the nonperforming Unit Owner pursuant to Subsection 7.2.4 of the Declaration.

**Notwithstanding the foregoing, the Board of Directors reserves the right to seek Injunctive Relief at anytime regardless of the presence or absence of notices hereunder, for any violation that the Board of Directors determines in its sole and absolute discretion constitutes a material danger to persons or property or requires immediate action for any other substantial reason.**

**The Board of Directors reserves the right to take any action permitted by law or the Declaration, in addition to the above mentioned fine policy.**

### **APPEAL PROCESS**

- When a violation notice is sent to an Owner, such notice shall include a statement notifying the Owner that he/she has the "RIGHT OF APPEAL."
- When an Owner desires to appeal a violation, he/she must so notify the Management Company in writing within ten (10) days after the date of the violation notice.
- Appeals shall demonstrate ***extenuating circumstances*** which require deviation from the Governing Documents.
- Appeal shall include all pertinent backup information to support the existence of the ***extenuating circumstance***.
- All decisions of the Board are final and may not be further appealed.
- Any appeal that does not meet the above requirements shall not be heard by the Board and shall be considered ***DENIED***.
- The Owner appealing the violation will be given written notice that a hearing on the appeal is scheduled.
- The appeal shall be heard in Executive Session.
- The Board President will introduce all parties.
- Lengthy discussions are not a part of an appeal process.
- The Owner who is appealing will be asked to state their case and present any applicable documentation.
- Each Board Member will have the opportunity to ask the Owner specific questions regarding the appeal.
- Upon completion of the question and answer period, the Board President will state that the appeal has been heard and the Board will make their decision in closed session. Written Notice of the Board's decision will be delivered to the Owner within seven (7) working days.
- If the appeal is denied, the Owner must bring the violation into compliance within ten (10) days. If the violation still exists after ten (10) days, the Owner will be fined \$100.00 every ten (10) days until the violation is corrected. In addition, the Board of Directors may seek legal action to remedy the violation. All costs of legal action will be billed to the Homeowner and collected in the same manner as assessments.