

Anthem Parkside Community Association, Inc.

Fine Policy

Update Effective 8-21-2014

The following Fine Policy shall be followed for the Anthem Parkside Community Association, Inc.

COURTESY NOTICE:

An initial notice of the violation shall be mailed via regular mail to the homeowner requesting compliance within ten (10) days – NO FINE.

SECOND NOTICE:

If violation still exists or reoccurs within three (3) to six (6) months, depending on type, a second notice requesting compliance within ten (10) days shall be mailed via regular mail to the homeowner.

A \$25.00 FINE will be assessed with the second notice.

Violation relating to failure to install front or rear yard landscaping, or relating to an exterior building issue, will result in a \$100.00 FINE with the second notice.

THIRD NOTICE:

If violation still exists or reoccurs within three (3) to six (6) months, depending on type, a third notice requesting compliance within ten (10) days shall be mailed via regular mail to the homeowner.

A \$50.00 FINE will be assessed with the third notice.

Violations relating to failure to install front and rear yard landscaping, or relating to an exterior building issue, will result in a \$250.00 FINE with the third notice.

CONTINUING AND RESOLVED VIOLATIONS:

A violation may be considered RESOLVED if it has been remediated or otherwise corrected and there have been no new occurrences of its type within a specified time period as dictated by its significance. These categories of significance are defined as:

Standard: A violation of the use restriction that is non-permanent in nature and not directly overseen by the Architectural Review Committee or governed by the design guidelines (3 month period from last occurrence).

Significant: A violation of the use restrictions or design guidelines that are permanent or semi-permanent, are directly overseen by the Architectural review committee, or involve the damage or destruction of community property or infrastructure (6 month period from last occurrence).

Resolved violations shall be closed and new occurrences will begin the compliance process again starting with the courtesy notice.

If there are repeat or continuing occurrences within the designated period of time as defined above the violation shall be considered CONTINUING and the next step in the compliance process will be followed and a FINE of \$100.00 shall be assessed every ten (10) days until the violation is resolved for any occurrence after the 3rd notice. 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 as allowed by Arizona Revised Statutes.

FAILURE TO OVERSEED TURF AREAS IN THE FRONT YARD:

Failure to oversee turf areas in the front yard shall result in the following letters/fines:

- A Courtesy Notice beginning on or about November 1st of each year.
- A fine of \$150.00 will be charged on or about 15 days after the Courtesy Notice if the property remains in non-compliance.
- A fine of \$300.00 will be charged on or about December 1st if the property remains in non-compliance.

Properties which remain in non-compliance after December 15th, may be referred to legal counsel for compliance enforcement.

An owner may bring the property into compliance by establishing a natural green winter lawn or by removal of the natural lawn and converting to an alternative landscape design (upon approval from the ARC).

VIOLATIONS RELATING TO EXTERIOR MODIFICATION:

Violations relating to exterior modification, without Architectural Review Committee approval, will result in a \$300.00 FINE per month until approval is obtained.

FAILURE TO REPAINT A HOME:

Failure to repaint a home after a one year period, or the decision to repaint reversed by a successful appeal to the Architectural Review Committee or the Parkside Board of Director, a fine of \$200.00 per month will be assessed the offending Homeowner until the required repaint has been completed and inspected by the HOA Staff.

SHORT TERM RENTAL POLICY VIOLATIONS:

Short Term Property Rentals that are leasing property for a period less than 30 days shall be fined accordingly: the first offense will be \$750, the second offense will be \$1,000, and the third and all subsequent offenses will be \$1,500.

CODE OF CONDUCT VIOLATIONS:

A Code of Conduct fine shall be imposed immediately on the homeowners account at a rate of \$250.00 for offensive or harassing behavior to Parkside Staff as adopted by a resolution approved on October 20, 2011.

APPLICATION OF FINES:

No fine shall be imposed without first providing a written warning to the Owner, describing the violation in detail, providing a right to respond and an opportunity for a hearing by the Board or one of its designated committees, all in accordance with Arizona revised Statutes. (This does not apply to the Code of Conduct fine.)

EXCEPTIONS:

The Board reserves the right to circumvent any or all steps outlined in the Fine Policy in instances that the Board of Directors might deem it necessary to initiate immediate action.