

## Addressing Continuing Violations

**This notice advises homeowners of actions that the Association may take in the event a homeowner refuses to comply with the CC&Rs and all other possible actions to resolve the issue have not been successful. The Board hopes these measures never become necessary but they are available and will be used only in such extreme cases.**

*The provisions of the governing Covenants, Conditions and Restrictions (CC&R's) gives the board the following enforcement tools to address those violations that continue without correction by the homeowner.*

*The least expensive and least forcible alternatives are always preferred, but if they do not solve the problem, alternative measures, as permitted by law under specific provisions of the CCC&R's and the association's governing documents, will be instituted by the Board. The process to resolve continued violations, consists of the following progressive steps:*

- 1. **Follow-up** with the homeowner in the form of letters and/or phone calls from the management company and/or from the association's attorney. In addition, and in some isolated cases, a visit to the homeowner by a delegation of the Board may be applicable to try to resolve the issue.*
- 2. **Monetary Penalties** will continue on a cumulative basis and will be assessed by the management company per the Association's Enforcement Policy.*
- 3. **A Notice of Violation** will be recorded with the Maricopa County Recorder's Office which advises the homeowner, and any potential buyers under a title search, that there is a current violation of the CC&R's on the property.*
- 4. **Court Action** may be initiated by the Association by filing a lawsuit against the homeowner for breach of contract (the CC&R's) and injunction to compel compliance. This action would entitle the Association to damages which can include validly assessed fines plus attorneys' fees and costs at the court's discretion.*