

CC&Rs Compliance Enforcement Philosophy
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Now that the HOA attorney has drafted a noncompliance fine schedule, the board must establish a consistent philosophy of enforcement actions to maintain uniformity in enforcement. Below is a draft of the strategy recommendation.

- I. Current noncompliance enforcement during the philosophy development and approval stage
 - A. Continue to address immediate potential hazards to the community through compliance enforcement, which would include:
 - Fire hazards include dead or fallen trees, dried standing brush, and pine needle accumulation.
 - B. Continue compliance enforcement on active, long-standing cases or those issues that have been recently reviewed by the HOA attorney and determined to be appropriate for enforcement, which include:
 1. The unoccupied and dilapidated home on Double Bogey Way.
 2. Failure to pay annual dues. In these cases, the newly drafted fine schedule provided by the HOA attorney will be applied.

This will be handled through the new arrangement with the HOA's enrolled agent, an outside paid source that handles the HOA's bills, annual dues, tax filings, and general bookkeeping.
 3. The Board of Directors reserves the right to address and enforce any issues of noncompliance that arise during the development and approval of the noncompliance enforcement philosophy.
- II. Develop a noncompliance enforcement philosophy
 - A. The Initial draft of the philosophy
 1. Proactive Board-Initiated assessment and enforcement
 - a. The board will semiannually identify community hazards, including fire hazards such as dead or fallen trees and dried standing brush, as well as pine needle accumulation.
 - b. The board will send out notices to inform HOA members of the hazard and the need to take appropriate action.
 - c. Failure to comply with the initial notice within its identified time frame for resolution will begin the fine process.
 2. HOA member-initiated complaints
 - a. These may be hazardous or non-hazardous complaints.

- b. In cases involving non-hazardous complaints, if the violation cannot be resolved between HOA members or the violation continues unaddressed by the violating HOA member, the fine policy will commence at the direction of the HOA Board, with the Compliance Committee chair responsible for overseeing the correspondence between the board and the HOA member in noncompliance.
 - c. In cases involving hazardous complaints, the same procedure previously identified regarding hazardous complaints will be followed.
3. Systemic noncompliance by a group of HOA members

Some violations appear to have been overlooked or may not have been reported, and therefore, not addressed. It is possible that HOA members are unaware of their potential violation. In such cases, the HOA board has three discretionary options.

- a. Assuming this is not a hazard to the community and no HOA member has complained, the HOA board will not address the violation.
- b. The board can educate the entire HOA community about the violation and initiate self-correction due to its systemic nature, after providing a six-month opportunity for the necessary corrective action.
- c. The board can conduct a survey to determine the community's desire to change the HOA's CC&Rs or bylaws to accommodate an issue that falls under the general category of community aesthetics.

III. Seek community input on the philosophy of enforcement

- A. Since the initial framework of the philosophy has already been generated in a comprehensive written format, there is really no need to rely upon the efforts of a committee. Thus, emailing this report directly to the HOA members will provide an opportunity for input for all members on this particularly sensitive topic of noncompliance enforcement.
- B. The goal is to have all input assessed and voted on by the board by the end of the first quarter of the new board's service, that being, by the October 2025 Board of Directors' meeting.
- C. The HOA community will then be provided with the final version of the noncompliance enforcement philosophy, and it will also be posted on the HOA website, www.azpinemeadowshoa.com