

Sun Air Estates Homeowners Association

Enforcement Policy and Fine Schedule

Pursuant to the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions, recorded with the Office of the Maricopa County Recorder at Instrument No. 1999-1033848 ("Declaration"), and any amendments recorded thereafter, and in compliance with Arizona Revised Statute §33-1803, the Association ("Association"), through its Board of Directors ("Board"), hereby adopts this Enforcement and Fine Policy ("Policy") for violations of the Declaration, Bylaws, Association Rules and any other rules, resolutions, and policies of the Association (collectively referred to herein as the "Governing Documents").

Unless stated otherwise herein below, any Owner who is found to be in violation of the Governing Documents, with the exception of the Owner's failure to pay Assessments and any other related charges, will be provided a written Notice of Violation regarding that certain violation in accordance with the schedule below. Subject to the terms of this Policy, the Association may impose monetary penalties ("Fine(s)") in accordance with the Fine Schedule attached hereto as Exhibit "A", take legal action to address an Owner's violation of the Governing Documents, or proceed with any other remedy set forth in the Policy, the Declaration, or Arizona law.

NOTICE OF VIOLATION: A Notice of Violation ("Notice"), in accordance with A.R.S. §33-1803, shall be mailed via regular mail to the Owner demanding compliance with the Governing Documents within fourteen (14) days. The Notice shall inform the Owner that if the violation is not timely corrected or if the violation occurs again within thirty (30) days of the Notice, a Fine will be assessed in accordance with the Fine Schedule. Any Notice may also inform the Owner that if compliance is not met, the Association may exercise additional legal remedies as set forth in this Policy or as permitted by the Governing Documents or Arizona law.

SUBSEQUENT VIOLATION NOTICES: If the Owner fails to timely cure the violation or if the same violation occurs within thirty (30) days of the previous Notice, subsequent Notices may be mailed to the Owner informing the Owner of the Fine that has been assessed in accordance with the Fine Schedule. The Notices shall also inform the Owner that if the violation is not corrected within fourteen (14) days of the date of the Notice or if the same violation occurs again within thirty (30) days of the Notice, additional Fines will continue to be imposed in accordance with the Fine Schedule. If the same type of violation reoccurs within three (3) months of the last Notice, the Association may start the process again with a Second Notice of Violation and accompanying Fine.

APPEAL PROCESS: Any Owner who receives a Notice of Violation regarding the condition of the property owned by the Owner may exercise the following appeal rights:

1. An Owner may provide the Association with a written response contesting the Notice of Violation by sending the response to the Association by certified mail within twenty-one (21) days after the date of the Notice of Violation and the Association shall respond accordingly within ten (10) business days thereafter.
2. An Owner contesting a Notice of Violation may also request a hearing with the Board that, if granted, will take place on a date set by the Board and during the

Board's executive session meeting unless the Owner requests to meet with the Board during an open meeting.

3. Following an appeal hearing, the Board will render a decision and notify the Owner in writing within ten (10) business days.
4. All decisions of the Board are final and may not be further appealed.
5. If the appeal is denied, the Owner will be required to correct the violation(s) within ten (10) days of the date of the Board's decision. If the violation still exists after ten (10) days, the violation will be treated as a continuing violation and the Owner may continue to receive subsequent Notices of Violation with accompanying Fines in accordance with the attached Fine Schedule. The Association may also proceed with any other legal right and remedy.

SUSPENSION OF RIGHTS: In accordance with Sections 6.04 and 12.06 of the Declaration and Arizona law, the Board, after notice and a hearing held in accordance with the Bylaws, may suspend the Owner's voting rights and or the right to use and enjoy the Common Area for any period during which any assessment, late fees, collection fees or costs, or fines owed the Association remain unpaid or for any other infraction of the Association Rules or the Declaration. In the event an Owner's right to use the Common Area is suspended, the Owner shall immediately turn his or her key into the Association. The key will be returned once the violation on the Owner's property is corrected or the account balance has been fully satisfied.

WAIVER OR VARIATION FROM POLICY: To the fullest extent permitted by Arizona law and the Governing Documents, the Association retains the right and authority to vary from this Policy. The Association also reserves the right to pursue any and all legal remedies set forth in the Declaration or available at law at any time to address an Owner's violation of the Governing Documents. In the event of any conflict between this Policy and the Declaration, the Declaration shall control.

This Policy was passed this 17 day of September, 2026, by a majority of the Board of Directors for the Association and supersedes any existing enforcement policy and schedule of fines as found in the Association's rules or other Governing Documents.

SUN AIR ESTATES HOMEOWNERS ASSOCIATION

By:

Johnny Wilson President 9-21-2026

By:

Jeffrey Ellis 9-21-2026

By:

Barbara Wiggall 9/21/26

By:

By:

Exhibit A

**SUN AIR ESTATES HOMEOWNERS ASSOCIATION
FINE SCHEDULE**

Subject to the requirements of the Association's Enforcement Policy, the Association's Fine Schedule shall be as follows:

Category of Violation	Fines
Landscaping Violations	1 st Notice of Violation: \$25.00 2 nd Notice: \$50.00 3 rd Notice: \$100.00 4 th Notice, etc.: \$200.00
Other Use Restriction Violations	1 st Notice of Violation: \$25.00 2 nd Notice: \$50.00 3 rd Notice: \$100.00 4 th Notice, etc.: \$200.00
Architectural Control Violations	1 st Notice of Violation: \$50.00 2 nd Notice: \$100.00 3 rd Notice: \$200.00 4 th Notice, etc.: \$400.00
Violations Resulting in a Threat to a Person or Property	1 st Notice of Violation: \$100.00 2 nd Notice: \$200.00 3 rd Notice: \$300.00 4 th Notice, etc.: \$400.00

1. Some violations may fall into more than one Category of Violation. The Board shall have the discretion to determine which Category best describes the violation at issue.
2. Unless otherwise set forth in the Policy, the monetary penalty amount to be levied shall be a one-time amount per Notice.
3. The examples listed are not intended to be limiting. Each Category of Violation may include other specific types of violations not listed.
4. This Policy and Fine Schedule may be amended from time to time by the Board.