

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
LA PLACIA NEIGHBORHOOD ASSOCIATION**

c/o RPM Phoenix Valley
706 E Bell Rd Ste. 115
Phoenix, AZ 85022

ASSESSMENT COLLECTION POLICY

The undersigned, constituting all the members of the Board of Directors of La Placia Neighborhood Association, an Arizona nonprofit corporation, hereby take the following actions in accordance with Article VII, Section 1 (a) of the By-Laws.

RESOLVED, that the Board of Directors hereby approves the Collections Policy for La Placia Neighborhood Association attached to this resolution.

The Board of Directors hereby instructs the managing agent to notify all Owners of the implementation of the Collection Policy effective as of July 1, 2022.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this ____ day of _____, 2022

DocuSigned by:

Amy Weidman President La Placia at Lone Mountain Neighborhood Association

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Amy Weidman
President - La Placia Neighborhood Association

DocuSigned by:

Mike Engelbrecht Treasurer La Placia at Lone Mountain Neighborhood Association

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Mike Engelbrecht
Treasurer - La Placia Neighborhood Association

DocuSigned by:

Lauretta Endean

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Lauretta Endean
Secretary - La Placia Neighborhood Association

La Placia Neighborhood Association
Assessment Collections Policy
Effective July 1st 2022

The following Assessment Collections Policy shall be followed for La Placia Neighborhood Association

Defined Terms:

Late Charges means the charges applied to the account in compliances with A.R.S 33-1803 (A) as described below.

Owner means the owner of record of the property whose responsibility it is to bring the account current.

Payment Plan means a board-authorized / manager authorized written payment plan containing terms as described below.

Late Charge:

In accordance with A.R.S. 33-1803 (A), A payment by a member is deemed late if it is unpaid fifteen or more days after its due date. A charge of Fifteen Dollars (\$15.00) or ten percent (10%) of the amount of the unpaid assessment, whichever is greater, will be applied to every account showing any part of any assessment (\$15.00 or greater) that is over 15 days past due.

Assessment Collections Procedures:

- A written reminder will be mailed to owner on the thirtieth day after the assessment due day stating the Owner has a past-due assessment and a late charge has been applied to the owner account. A re-bill fee is assessed for the preparation and written reminder. The owner is responsible for paying all late charges and re-bill fees.
- A written demand letter will be mailed to owner on the ninetieth (90th) day after the assessment due date. The delinquent account is assigned a fee for the preparation of the demand letter and the owner is responsible for paying this fee.
- Thirty (30) days after the demand notice has been issued if the account is still in arrears, the account will be referred to an attorney or a collections agency for further collections proceedings at the discretion of the Board of Directors. The owner is responsible for paying all collections costs, legal fees, document preparation fees, and other cost permitted by law or contract.
- For properties that have been foreclosed upon, the Board of Directors has the sole discretion as to whether to take action to collect past due assessments.

Applying Payments Received on Past Due Accounts Prior to Attorney Collection Submittal:

Per A.R.S. 33-1807 (K), unless an owner directs otherwise, all payments received on an owners account shall be applied in the following order:

1. Past Due Assessments
2. Late Charges

3. Collections Fees (including re-bill fee, demand letter, notices of liens, ect.)
4. Attorney Fees and collections cost and
5. Other unpaid fees, charges and monetary penalties or interest and late charges on the account.

Payment Plans:

All owner written payment plan requests must be reviewed and approved by the Board

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FINE POLICY AND APPEAL PROCESS

The undersigned, constituting all the members of the Board of Directors of La Placia Neighborhood Association, an Arizona nonprofit corporation, hereby take the following actions in accordance with Article VII, Section 1 (a) of the By-Laws.

RESOLVED, that the Board of Directors hereby approves the Fine Policy and Appeal Process for La Placia Neighborhood 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 July 1, 2022.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this ____ day of _____, 2022

DocuSigned by:

Amy Weidman President La Placia at Lone Mountain Neighborhood Association

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Amy Weidman
President - La Placia Neighborhood Association

DocuSigned by:

Mike Engelbrecht Treasurer La Placia at Lone Mountain Neighborhood Association

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Mike Engelbrecht
Treasurer - La Placia Neighborhood Association

DocuSigned by:

Lauretta Endean

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Lauretta Endean
Secretary - La Placia Neighborhood Association

**LA PLACIA NEIGHBORHOOD ASSOCIATION
FINE POLICY AND APPEAL PROCESS
Effective July 1st 2022**

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 La Placia Neighborhood Association:

FIRST NOTICE: An initial written warning notice of the violation shall be mailed to the Owner requesting compliance within thirty (30) days – **NO FINE**

SECOND NOTICE: If violation still exists thirty (30) days after the initial notice of violation a second notice requesting compliance within (30) days shall be mailed to the Owner. A **\$25.00 FINE** will be assessed with the second notice of a violation and is due immediately.

THIRD NOTICE: If violation exists thirty (30) days after the second notice of violation, a third notice requesting compliance within (30) 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 exists thirty (30) days after the third notice of violation, a fourth notice requesting compliance within (30) days shall be mailed to the Owner. A **\$75.00 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 thirty (30) days increasing monthly by \$25 per occurrence** 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 thirty (30) days 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.

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”.
- An Owner/member who receives a written notice that the condition of the property owned by the member is in violation of the community documents without regard to whether a monetary penalty is imposed by the notice may provide the association with a written response by sending the response by certified mail within twenty-one (21) calendar days after the date of the notice. The response shall be sent to the address identified in the 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 a written notice that the appeal has been received and it will be reviewed by the Board.
- If the appeal is denied, the Owner must bring the violation into compliance within thirty (30) days. If the violation still exists after thirty (30) days, the Owner will be fined a FINE of \$100.00 which shall be assessed every thirty (30) days increasing monthly by \$25 per occurrence 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.

Resolution of the Board of Directors La Placia Neighborhood Association RELATING TO BOARD POSITIONS

The Board of Directors (“Board”) of the La Placia Neighborhood Association (“La Placia’) having duly noticed and convened a meeting of the Board pursuant to A.R.S 33-1804 hereby adopts the following resolution by majority vote:

WHEREAS, Article 5 - CC&R verbiage that states a board members tenure will be for the length of time stated and that his/her held position will continue longer should there be no other individual interested when it comes time for re-election and he/she would like to fulfill the position beyond the initial tenure

WHEREAS, Under the present circumstances, the Board position may change hands based on election results, resignation, or removal o Board position tenures are as follows:

President – 1 yr.

Treasurer – 1 yr.

Secretary – 1 yr.

UNANIMOUS CONSENT TO ACTION BY
THE BOARD of DIRECTORS
LA PLACIA NEIGHBORHOOD ASSOCIATION

c/o RPM PHOENIX VALLEY
760 E. BELL ROAD SUITE 115
PHOENIX, AZ 85022
602-358-8130

RELATING TO BOARD POSITIONS

The Board of Directors (“Board”) of the La Placia Neighborhood Association (“La Placia”) having duly noticed and convened a meeting of the Board pursuant to A.R.S 33-1804 hereby adopts the following resolution by majority vote:

WHEREAS, the By-Laws state in Article IV Section 2 that two members of the Board shall be elected for the Board for a term of two (2) years and the remaining Directors shall be elected for a term of one (1) year and state in Article V Section 3 that each officer shall hold office for one (1) year or until election or appointment of his successor, which is longer, unless such Officers shall sooner resign, or be removed, or otherwise become disqualified to serve.

RESOLVED, that members of the Board shall be elected for a term of one (1) year or until election or appointment of his/her successor, which every is longer, unless such Officers shall sooner resign, or be removed, or otherwise become disqualified to serve. The Officer position of President, Secretary and Treasurer will be decided at the first Board meeting of each new Board. The Officers of this Association shall at all time be members of the Board of Directors.

DocuSigned by:
Amy Widman President La Placia Mountain Neighborhood Association
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Amy Widman Date
President – Board of Directors

DocuSigned by:
Mike Engelbrecht Treasurer La Placia Mountain Neighborhood Association
F61496A0AC314E0...
Mike Engelbrecht Date
Treasurer – Board of Directors

DocuSigned by:
Lauretta Endean
EF9F24D6C9EC4EE...
Lauretta Endean 6/17/2022 Date
Secretary – Board of Directors