



MIRABEL COMMUNITY ASSOCIATION, INC.

LOT OWNER FINE POLICY AND APPEAL PROCESS

CC&R Violations

Effective: May 18, 2009

The following Lot Owner Fine Policy and Appeal Process shall be followed for the Mirabel Community Association, Inc.:

Courtesy Call: Call to Lot Owner. If a phone number is not available, a note on Mirabel stationary will be sent to the homeowner requesting compliance within fifteen (15) days – **NO FINE**.

First Notice: If the violation still exists, a notice requesting compliance within fifteen (15) days shall be mailed to the Lot Owner – **NO FINE**.

Second Notice: If the violation still exists, a second notice requesting compliance within fifteen (15) days shall be mailed to the Lot Owner – A \$25.00 FINE will be assessed with the second notice and is due immediately.

Third Notice: If the violation still exists, a third notice requesting compliance within fifteen (15) days shall be mailed to the Lot Owner – A \$50.00 FINE will be assessed with the second notice and is due immediately.

Fourth Notice: If the violation still exists, a fourth notice requesting compliance within fifteen (15) days shall be mailed to the Lot Owner – A \$100.00 FINE will be assessed with the second notice and is due immediately.

Continuing Violations: If the violation continues without resolution after the fourth notice, a **FINE of \$100.00** shall be assessed every fifteen (15) days until the violation is resolved. 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 Lot Owner and collected in the same manner as assessments.

FINES: No Fine shall be imposed without first providing a written warning to the Lot Owner describing the violation and stating that failure to correct the violation within fifteen (15) days or **another recurrence of the same violation within six (6) months** of the original violation shall make the Lot Owner **subject to imposition of a fine**. Failure to pay any fine shall subject the Lot Owner to the same potential penalties and enforcement as failure to pay any assessments under Article VII of the CC&R's.

EXCEPTION TO NOTICE PROCEDURE: Violations posing any possible threat to the health, safety, and/or welfare of the community's property or any resident of the community may require immediate action and thus create exceptions to the foregoing notice provisions.

TRASH POLICY: Trash and recycling bins can be put out no earlier than 6:00 p.m. on the day preceding collection day, and are to be promptly put away by 8:00 p.m. on the day of collection. Three (3) warnings will be given per calendar year per lot owner. After three (3) warnings have been given to any lot owner, the lot owner will be fined \$25.00 for the 4th violation and \$50.00 for each additional violation in each calendar year.

Note (1): When a violation notice is sent to a Lot Owner, such notice shall include a statement notifying the Lot Owner that he/she has the "right to appeal". When a Lot Owner desires to appeal a violation, he/she must notify the Mirabel Community Association in writing within ten (10) business days after the date of the violation notice. The Address for Notification is:

Mirabel Community Association, Inc.
37401 North Mirabel Club Drive
Scottsdale, AZ 85262

Note (2): As a reminder to all Lot Owners who rent/lease their property within the Association, the Lot Owner(s) is/are solely responsible for insuring their tenants and personal property manager(s) understand and abide by all CC&R's, Bylaws, Design Guidelines, and the Rule and Regulations of the Association. Monetary penalties (fines) and legal action, if necessary, will be imposed against the Lot Owner(s) in the event their tenants violate the Association's governing documents.