

KIERLAND GREENS CONDOMINIUM COUNCIL OF CO-OWNERS, INC.

FINE POLICY

Effective: MARCH 1, 2025

The following Fine and Appeals Policy shall be followed for the Kierland Greens Condominium Council of Co-Owners, Inc. All homeowners will be responsible for fines levied on their renters (either short-term or long-term leases) and the fines will be applied to their monthly HOA statements. "The Board reserves the right, at its discretion in special circumstances, to immediately impose a fine in any amount the Board deems appropriate after a verbal warning by a Board member or the onsite manager if the offender refuses to cease the fineable offense. The fine may be imposed without a written notice."

FIRST NOTICE: If a fine is to be levied, the Kierland Greens On-Site manager will contact the Board immediately, then the Treasurer will CALL and may E-MAIL the homeowner prior to sending out the first notice, hoping that the issue can be resolved immediately. As an administrative requirement, an initial notice of the violation will also be mailed via regular mail to the homeowner requesting compliance within one-week (7 days). No monetary fine will be assessed at First Notice.

SECOND NOTICE: If the violation still exists 7 or more days after first notice, a second notice (via email) requesting compliance within one-week (7) days shall be sent to the homeowner. A **\$100.00 FINE** will be assessed, and payment will be due immediately with the second notice.

THIRD and FINAL NOTICE: If the violation still exists, notices requesting compliance within seven days shall be e-mailed and sent via certified mail to the homeowner. A **\$250.00 FINE** will be assessed and due immediately with each notice.

CONTINUING/RECURRING VIOLATIONS: If the violation continues without resolution after the final notice, or there is a recurrence of the violation within three months of the original violation, the board reserves the right to refer the issue to counsel. All legal fees and fines will be billed back to the homeowner.

NOTE: no fine shall be imposed without first providing written notification (either via email or certified letter) to the owner describing the violation and stating that failure to cure the 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 Article 9 of the CC&R's. (NEEDS TO BE EITHER UPDATED OR REMOVED)

Listed below are actions that could result in a fine and any other violations listed in the Rules & Regulations booklet:

1. Dog off leash or Dog waste left on the ground, Dog over 30lbs.
2. Any type of Littering on the property.
3. Parking outside for more than two (2) days without a parking permit,
4. Pool violations (as noted in the Owners Rules & Regulations Booklet),
5. Noise violation after 10 p.m. (per Phoenix statute)
6. Fighting in the common areas
7. Community destruction.
8. Violating vendors/construction hours, construction dumping in our dumpsters, etc.
9. Use of gas BBQ's on private patios, glass inside the entire pool area, including the Ramada area, non-cleaning of grill(s).
10. Balcony violations (i.e. hanging objects off balcony railings)

BOARD DISCRETION: Notwithstanding the above provisions of the violation policy, the Board at its sole discretion may at any time assess a fine in an amount up to \$5,000.00 for any incident the Board deems to be egregious, dangerous, or that may threaten the life, health, safety, or welfare of any person (resident or owner), or that causes damage to any Association or other Owner's property.

In addition, nothing in this Fine Policy will limit the Board of Directors' right to seek immediate Injunctive Relief at any time 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 and requires intervention by police or other civil agencies. The Board of Directors reserves the right to take any action permitted by law or the CC&Rs.



KIERLAND — GREENS —

Appeals Submittal Form

ALL APPEALS MUST BE SUBMITTED VIA EMAIL OR MAIL TO THE FOLLOWING:

ATTN: _____

E-mail: Roz Fulmer at: azkgroz@gmail.com

Address Appeal to: Kierland Greens HOA
c/o Roz Fulmer
15221 N Clubgate Dr. Unit 2136
Scottsdale AZ 85254

Owners Name: _____

Property Address: _____

Owners Mailing Address: _____

Owners Email Address: _____

Violation Being Appealed: _____

Reason for Appeal:

Any supporting documentation is to be submitted via email or mail with original Appeals Submittal.

Property owner is hereby given notice that in no way does the appeal submittal negate the property owners' responsibility to rectify the stated violation before the expiration of the allotted time frame stated in said Associations' Governing Documents.

This form may only be used to appeal one violation or one fine at a time. Multiple violations/fines require an Appeals Submittal Form for each individual occurrence.

--- Do Not Write Below This Line ---

Submitted to the Board of Directors: Date _____

Decision: Approved Disapproved

Signature: _____



OWNER VIOLATION COMPLAINT FORM

Date: _____

Instructions

Per Arizona law (ARS 33-1242 and ARS 33-1803), no violation notice can be sent based on an anonymous report. The Kierland Greens HOA management/Board of Directors are sending a violation notice based on a complaint, the following information was provided to use and after your initial contact with either the Board or Onsite Manager, you have failed to comply with the Rules & Regulations of Kierland Greens.

This is the second notice of the following violation and per the policy, a fine has been imposed and will be charged to your next month's statement. The fine being imposed is: _____

Owner's Name:

Unit#:

Owner's address:

DESCRIBE THE NATURE OF THE VIOLATION and DATE OF VIOLATION:

CC&R VIOLATION REFERENCE (IF KNOWN) _____