

Green Valley Fairways Property Owners Association

Green Valley's Oldest and Largest Homeowners Association



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Green Valley Fairways POA - Deed Adherence Policy (Adopted April 25, 2023)

The Green Valley Fairways POA is dedicated to maintaining safe and harmonious neighborhoods while increasing the value of its members' properties. This is done by being good stewards, fiscally responsible, and maintaining appearances up to community standards, and by enforcing the CC&Rs and/or the Association's Rules and Regulations or Architectural Guidelines (the "Governing Documents") as duly adopted or amended.

1. If the Board or its agent determines that a violation of the Governing Documents has occurred, the Owner of the Lot shall be notified in writing by the Deed Adherence Officer or other agent designated by the Board. The letter will include at least the following information:
 - a) A brief description of the activity or condition and the provision of the Governing Documents that has been violated (i.e. the title of the particular Governing Document, the article, section, and/or paragraph number, and the relevant excerpt from the provision).
 - b) The date of the violation.
 - c) That the Lot Owner[s] has 14 days from date of mailing to correct the violation without penalty (i.e. fines).
2. A follow-up inspection is performed by the Board or its agent to ascertain if the property is now in compliance on day 15 or within a reasonable time thereafter.
 - a) If the property is in compliance, the file is closed.
 - b) If the property is deemed not to be in compliance, an "Invitation to a Hearing" is issued to the Lot Owner. The date of the hearing cannot be less than ten days from the date of the second inspection.
 - c) The Lot Owner may respond to the "Invitation to Hearing" Notice by certified mail to the Deed Adherence Officer or other agent designated by the Board if they are unable to attend the Hearing in person.

3. Following the date of the Hearing, the property is re-inspected by the Board or its agent to ascertain if the noncompliance has been resolved. A date stamped photograph is taken of the property.
 - a) If the non-compliance has been resolved, the file is closed.
 - b) If the non-compliance remains then the Lot Owner is assessed a fine of \$100. A Notice of Fine will be sent to the Lot Owner along with a copy of the date stamped photograph.
4. The fines will continue to accrue on a monthly basis until the Board or its agent determine that the violation has been corrected. The fine schedule is as follows:
 - a) Second Notice of Fine \$200.
 - b) Third Notice of Fine \$300.
 - c) Noncompliance beyond the Third Notice will result in the file being forwarded to the Association's Legal Counsel to enforce the Association's Governing Documents.
5. In accordance with the Federal Regulations adopted by the United States Department of Housing and Urban Development ("HUD") in October 2016, the Association must take prompt action to correct and end a discriminatory housing practice by a third-party, where the association knew or should have known of the discriminatory conduct or harassment and had the power to correct it. Therefore, any discriminatory conduct or harassment based on a resident's age, race, color, religion, sex, familial status, national origin, or disability shall be subject to enforcement by the Association in accordance with this Policy. For purposes of this Policy, and in accordance with HUD regulations, "discriminatory conduct or harassment" shall mean any unwelcome conduct that is sufficiently severe or pervasive as to interfere with the availability, sale, rental, or use or enjoyment of a dwelling and other housing-related activities.
6. In accordance with Section 7.8 of the CC&Rs, the Board of Directors has the right to authorize an agent[s] to enter the Lot and perform any maintenance or repairs not performed by the Lot Owner at the expense of the Lot Owner. These expenses will be secured through legal action and are in addition to any violation fines. Notice in writing will be provided to the Lot Owner at least ten (10) calendar days prior to any corrective action being taken by action of the Board.
7. Additionally, notwithstanding paragraphs 1 and 2 above, after the initial notice provided in Paragraph 1, the Board of Directors has the authority to forego the "Invitation to a Hearing" and any further written notices, and instead refer the matter directly to the Association's attorney to commence litigation seeking injunctive relief from a court of proper jurisdiction to address, enjoin, abate, or remediate any of the following:
 - a) Any business activity on a Lot in violation of the CC&Rs and/or the Association Rules and Regulations;
 - b) Any construction, repair or renovation commenced on a Lot in violation of the CC&Rs and/or the Association's Rules and Regulations or Architectural Guidelines;
 - c) Any activity or condition that is detrimental to the safety and health of any Lot Owner, resident, guest, occupant, or invitee of a Lot in Green Valley Fairways; or
 - d) Any abusive or harassing behavior, either verbal or physical, or any form of intimidation or aggression by any Lot Owner, resident, guest, occupant or invitee

directed at other Lot Owners, residents, guests, occupants, or invitees, or directed at management, its agents, its employees, or vendors i) that is based, in whole or in part, on a person's age, race, color, religion, sex, familial status, national origin, or disability, and ii) that is disruptive, upsetting, annoying, invasive, and overall affecting the quality of the person's life.

8. If a Lot Owner is found in violation of the Governing Documents, he/she will be held responsible for all legal fees arising from the enforcement action against him/her.