LAKEWOOD VILLAGE HOMEOWNER'S ASSOCIATION
VIOLATION ENFORCEMENT POLICY AND FINE SCHEDULE

The Lots and Owners within Lakewood Village are governed by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lakewood Village Homeowner's Association (the "Declaration") and the Amended and Restated By-Laws of the Lakewood Village Homeowner's Association (the "Bylaws").

Per Arizona law, the Board has the power to levy reasonable fines after the Owner is given notice and an opportunity to be heard.

Section 3.4 of the Declaration states, in part, "The Board shall be empowered to adopt, amend, or repeal such rules and regulations as it deems reasonable and appropriate (the "Association Rules") …. The Association Rules may include the establishment of a system of fines and penalties…."

The Board of Directors (the "Board") hereby adopts this Violation Enforcement Policy and Fine Schedule ("Policy") to set forth procedures for enforcement of the Declaration, Association Rules, and Architectural Guidelines.

The Board intends to follow the procedures set forth herein, but reserves the right, in its sole and absolute discretion, to vary from the procedures set forth herein due to the unique circumstances of individual situations so as to help ensure that only reasonable fines and enforcement measures are used.

ESTABLISHMENT OF VIOLATION AND VIOLATION NOTICES

1. Establishment of Violation: Any improvement of any kind or nature erected, placed or altered on any Lot which has not been first approved by the Architectural Committee and/or Board, or which does not in all respects conform to that which has been so approved is deemed a violation. Any activity or condition on a Lot that is in opposition to the Declaration and/or Association Rules, which is not expressly authorized by the Board, is deemed a violation.

2. Courtesy Notice: Upon verification of the existence of a violation, a written Courtesy Notice may be mailed to the Owner providing the specific information regarding the violation and requesting that corrective action be taken within a specific timeframe or that the violation not re-occur.

3. Violation Notices: If the Association decides to skip the Courtesy Notice, the Owner fails to remedy the violation within the timeframe set forth on the Courtesy Notice, or if the violation is initially cured but then occurs again within a period of ninety (90) days from the initial violation addressed in the Courtesy Notice, a written Violation Notice shall be mailed to the Owner. The first Violation Notice shall include:

a. The nature of the violation and the date it occurred or was observed.
b. The provisions of the Declaration, Association Rules, and/or Architectural Guidelines.
c. A date for correction of the violation.
d. If applicable, the Board's intent to levy a fine against the Owner.
e. A statement advising the Owner of the opportunity to be heard with respect to the violation and the timeframe (at least ten (10) business days after the Violation Notice was sent) to contact the Association, in writing, to exercise the opportunity to request the hearing.
f. A statement advising the Owner of how the Owner may contest the violation.
g. A statement advising the Owner that the Owner has the right to petition for an administrative hearing on the outstanding violation to the Department of Real Estate.

4. Subsequent and/or Continuing Violation Notices: If the violation still exists after the time-frame for compliance in the prior notice, or re-occurs within ninety (90) days of the prior notice, subsequent violation notices can be sent, and/or additional fines can be imposed in accordance with this Policy. If the violation is a re-occurrence, the notice shall contain information required to be provided with the first notice.

FINES

1. Hearing and Waiver of Right to be Heard: If requested within the timeframe prescribed in the notice to the Owner, a hearing will be granted and a reasonable effort will be made to schedule the hearing at a time convenient to both the Board and the Owner. Any of the following shall constitute a waiver of the Owner's right to the hearing:

a. The Owner does not contact the Association to request a hearing in the timeframe prescribed in the Violation Notice to the Owner;
b. The Owner does not respond to the Association's reasonable attempts to schedule a hearing;
c. After a hearing is scheduled, the Owner does not attend the hearing or provide at least forty-eight (48) hours' notice of their inability to attend the hearing.

A fine may be imposed after the hearing or after the Owner waives the right to be heard. If an Owner waives the right to be heard, the Board will make a decision regarding a fine based on the information it has. Any fine imposed may be applied retroactively to the initial date of the violation.

2. Notice and Amount of Fines: The Owner will be given written notice of the amount of any fines imposed and the due date for payment of such fines. The Board intends to impose fines generally in accordance with the attached Fine Schedule for violations listed on this schedule; however, the Board reserves the right to vary from this schedule based on the nature and severity of the offense and the number and history of violations by the Owner. The amount of the fines imposed by the Board shall range from $25.00 to a maximum of $1,000.00 per calendar day.

3. Fines for Continuing and Recurring Violations: Once it has been determined by the Board that the violation is a continuing violation, the Board may impose reasonable continuing fines (such as daily, weekly or monthly fines) while the violation continues, and such continuing fines shall accrue until the Owner notifies the Association that the violation has ceased and the Board confirms that it has ceased. If any violation recurs within ninety (90) days from a past violation, it will be considered a continuation of that past violation.

REFERRAL TO LEGAL COUNSEL AND OTHER REMEDIES

Where it is determined to be in the best interest of the Association, the Board may, at any time during the enforcement process, refer the violation to legal counsel for action seeking injunctive relief against the Owner to correct or otherwise abate the violation, or to pursue any other legal or equitable remedy that may be available to the Association.

RESIDENT COMPLAINT PROCEDURE

Any resident may make a formal complaint regarding violations of the Declaration, Association Rules, or other governing documents. The complaint must be in writing and must include the date and time along with a detailed description of the violation including the people involved. The complaint should be mailed, faxed, or e-mailed to:

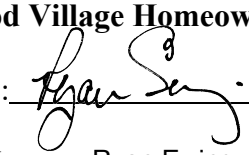
Lakewood Village Homeowner's Association
c/o Marlene Larson
Peaks HOA Management Company LLC
1016 W. University Avenue, Suite 203
Flagstaff, AZ 86001
info@peaks-hoa.com
Fax: 888-566-3312

Please note that the information provided is not confidential and, if requested by the violating Owner, will be provided to them as required by law.

CERTIFICATION

This is to certify that the foregoing policy was adopted by the Board of Directors and made effective as of March 18, 2025 until such date as it may be modified, rescinded or revoked.

Lakewood Village Homeowner's Association

Signature: 

Printed Name: Ryan Ewing

Title: President

FINE SCHEDULE

Category	Types of Violations	Schedule of Fines
1	● Trash/recycle receptacles	■ First Notice - minimum $25 fine ■ Second Notice - minimum $50 fine ■ Third Notice – minimum $100 fine ■ Fourth Notice - minimum $150 fine ■ Continuing/Recurring Violations - $100 fine per week
2	● Parking and vehicle violations ● Failing to properly maintain landscaping and/or structures on lot ● Animal or animal-related structure violation – no injuries ● Signage violation ● Flag(s)/flagpole not permitted by Arizona statute	■ First Notice - minimum $50 fine ■ Second Notice - minimum $100 fine ■ Third Notice – minimum $150 fine ■ Fourth Notice - minimum $300 fine ■ Continuing/Recurring Violations - $100 fine per week
3	● Unapproved/prohibited items placed/stored on Lot ● Unapproved window coverings ● Prohibited machinery or equipment ● HVAC equipment violation ● Speaker/light violations ● Diseases and/or insects ● Misc. nuisances	■ First Notice - minimum $50 fine ■ Second Notice - minimum $100 fine ■ Third Notice – minimum $150 fine ■ Fourth Notice - minimum $300 fine ■ Continuing/Recurring Violations - $100 fine per week
4	● Construction or alteration of an improvement other than what was approved by the architectural committee ● Temporary buildings/occupancy violation ● Violation of fire restrictions ● Safety/sanitary violations	■ First Notice - minimum $150 fine ■ Second Notice - minimum $300 fine ■ Third Notice – minimum $450 fine ■ Fourth Notice - minimum $600 fine ■ Continuing/Recurring Violations - $150 fine per day
5	● Commencing addition or modification to existing improvement without architectural approval ● Commercial use violation ● Lease or timeshare violation ● Animal violation causing injuries to person(s) or other animal(s) ● Grading or drainage violation ● Mining violation ● Tree removal violation ● Subdivision violation	■ First Notice - minimum $250 fine ■ Second Notice - minimum $500 fine ■ Third Notice – minimum $750 fine ■ Fourth Notice - minimum $1,000 fine ■ Continuing/Recurring Violations - $250 fine per day