

**TUCSON NATIONAL TOWNHOMES ASSOCIATION, INC.
CC&R ENFORCEMENT POLICY & FINE SCHEDULE**

The following policy shall be used to enforce the Second Revised and Restated Declaration of Covenants, Conditions and Restrictions of Tucson National Townhomes West, Inc., the Association Rules and the Architectural Guidelines adopted by the Association (collectively, A Governing Documents).

1. NOTICE. When the Board (or its managing agent) determines that a violation of the Association's Governing Documents exists (excluding nonpayment of assessments), the following action shall be taken:

A. Reminder Notice

The Association, through its managing agent, shall send the Owner of the Lot a Reminder Notice informing the Owner of the violation(s) of the Association's Governing Documents and requesting that the violation(s) be corrected by a date that is no less than ten (10) business days from the date of the Reminder Notice.

The Owner is responsible for notifying the Association that the violation has been corrected.

B. Notice of Violation and Hearing

Should the Owner fail to correct the violation(s) by the date set forth in the Reminder Notice, the Association (or its managing agent) shall send the Owner a Notice of Violation which shall include the following information:

- § description of the alleged violation(s) and the provision(s) of the Governing Documents that has (have) been allegedly violated;
- § date of the alleged violation or the date that it was observed;
- § name of the person or persons who observed the alleged violation;
- § action required to restore the property to a conforming condition and the date by which such corrective action must be taken (no less than ten (10) business days from the date of the notice); and
- § that the Owner may respond to the Notice by providing a written response to the Association via certified mail within ten (10) business days of the date of the Notice.

If the Board is considering the imposition of a fine against the Owner for the violation, the Notice shall also provide the Owner with a date for a hearing before the Board of Directors which is no less than ten (10) days from the date of the Notice.

The Owner is responsible for notifying the Association that the violation has been corrected.

2. HEARING. At a violation hearing before the Board, an Owner (or his/her designated representative) shall be permitted to present evidence and witnesses on his/her behalf. If an Owner wishes to present personal, health or financial information for consideration at the hearing, the Owner may make a written request to the Association that the hearing be held in executive session.

3. NOTICE OF ACTION. At the conclusion of the hearing, whether or not the Owner is in attendance, the Board shall determine whether to impose a fine against the Owner. The Owner shall be notified in writing of the Board's decision no more than fifteen (15) days after the hearing.

4. FINES. Fines shall be imposed according to the Fine Schedule. The Association reserves the right to waive fines if the Owner is making good faith attempts to correct the violation(s). Any fine which remains unpaid fifteen (15) or more days after the due date shall be delinquent and subject to a late fee of \$15.00 or ten percent (10%) of the unpaid fine, whichever is greater. Payment of a fine does not constitute a variance for the violation; all violations must be corrected regardless of the fines imposed. Collection of delinquent fines may be enforced by seeking a personal judgment against the Owner and upon obtaining a judgment, recording a lien against the Owner's Lot.

5. TENANTS AND GUESTS. Owners are responsible for violations of the Governing Documents by their invitees, tenants and guests.

6. LEGAL ACTION. This CC&R Enforcement Policy is intended to serve as a guideline for the Association's Board of Directors in enforcement matters. Nothing contained herein shall be interpreted as prohibiting the Association from referring an enforcement matter to its legal counsel and/or instituting legal action against an Owner at any time after a violation is observed if the Board of Directors, in its sole discretion, determines that the nature of the violation warrants such action.

FINE SCHEDULE

FAILURE TO OBTAIN ARCHITECTURAL APPROVAL/ VIOLATION OF ARCHITECTURAL GUIDELINES:	Up to \$250 initial fine; \$50/day continuing fine
VIOLATION OF USE RESTRICTIONS: Parking	Up to \$25 initial fine; \$15/day continuing fine
VIOLATION OF USE RESTRICTIONS: Other	Up to \$200 initial fine; \$10/day continuing fine
VIOLATION OF ASSOCIATION RULES: Pool	Up to \$400 per occurrence
VIOLATION OF ASSOCIATION RULES: Other	Up to \$100 fine per occurrence

Adopted by the Board of Directors for Tucson National Townhomes West, Inc. at a duly held meeting this 27th day of April, 2010.

By: *Daniel Estro*
Its: President

By: *Claire Williams*
Its: Secretary