

Timing for Second Notices and/or Hearings

Board Approved: 11/12/19

First Notice is a "Friendly Reminder" in most cases. These are the time delays after First Notice to Second Notice and Hearing Notice unless otherwise noted and are Calendar days. Second Notice shall include required criteria in A.R.S 33-1803D, below. This is authorized by, although not necessarily limited to, the following CC&R Sections:

2.07 Nuisances, 2.11 Unsightly Articles, 2.12 Trash Containers, 2.15 Vehicles/Carports/Garages, 4.04 Exterior Maintenance, Repair Up-Keep and Repainting and 4.06 Bylaws, 6.02 Conditional Use of Common Area, 6.04 (Common Area) Management, 6.05 (Common Area) Damage or Destruction of Property and 8.03A Enforcement

Immediately to Hearing: aggravated mayhem, violations of law

1 Day: to Second notice/Hearing Notice for parking violations, pool issues, Common Area issues, noise, loud parties, trash containers not stowed, dog waste observed, flood lights, feeding wild animals, accessible poison traps, trespassing and other similar violations, signage violations

7 Days: to Second notice/Hearing Notice for weeds, property appearance/minor maintenance

21 Days: to Second Notice for most other violations

7 Days: to Hearing Notice following 21 Day notices except Full Paint or restoration

90 Days: to Hearing Notice for full house paint required or major restoration/rehab unless contract is signed to begin in 30 days or less

Note:

A.R.S 33-1803C does have a very limited 21 Day provision. As long as details are included in the original complaint, this provision is moot. The VRCA Management Company shall always be deemed the complainant after verification for D.3. and shall NOT release the initial complainant's name.

C. A member who receives a written notice that the condition of the property owned by the member is in violation of the community documents without regard to whether a monetary penalty is imposed by the notice may provide the association with a written response by sending the response by certified mail within twenty-one calendar days after the date of the notice. The response shall be sent to the address identified in the notice.

D. Within ten business days after receipt of the certified mail containing the response from the member, the association shall respond to the member with a written explanation regarding the notice that shall provide at least the following information unless previously provided in the notice of violation:

- 1. The provision of the community documents that has allegedly been violated.**
- 2. The date of the violation or the date the violation was observed.**
- 3. The first and last name of the person or persons who observed the violation.**
- 4. The process the member must follow to contest the notice.**