



Marley Park Community Association, Inc. Noncompliance Enforcement Guidelines

Adopted November 9, 2016

Effective January 1, 2017

Courtesy Notice

A Courtesy Notice may be verbal or in writing informing the owner of the noncompliance issue, including any violation(s) of the CC&Rs or Marley Park Resident Access Agreement and requests corrective action be taken. In the event that recurrence of the same violation occurs within ninety (90) days of the preceding notice, regardless of compliance following the notice, the Board may continue with enforcement in accordance with the Noncompliance Enforcement Guidelines as though the violation had not been corrected. Additionally, notice provides the owner with the process the owner must follow to contest the notice and their opportunity to be heard in accordance with Arizona state law as well as written notice of the owner's option to petition for an administrative hearing on the matter in the Department of Real Estate pursuant to Section 32-2199.01.

Second Notice

Advise owner they have ten (10) business days to remedy the noncompliance issue, or further enforcement action will be taken. Additionally, notice provides the owner with the process the owner must follow to contest the notice and their opportunity to be heard in accordance with Arizona state law as well as written notice of the owner's option to petition for an administrative hearing on the matter in the Department of Real Estate pursuant to Section 32-2199.01.

Hearing Notice

Advise owner if the violation is not corrected within ten (10) business days, a monetary penalty may be imposed, and access to the amenities may be terminated for a period up to thirty (30) days. Additionally, notice provides resident with the process the resident must follow to contest the notice and their opportunity to be heard in accordance with Arizona state law as well as written notice of the owner's option to petition for an administrative hearing on the matter in the Department of Real Estate pursuant to section 32-2199.01.

Monetary Penalty Notice

This letter states the nature of the violation, stipulates the monetary penalty (fine) imposed and access to the amenities has been terminated for a period up to thirty (30) days. The owner is also advised that if the violation is not corrected within ten (10) business days, additional monetary penalties may be imposed every ten (10) business days and amenity access may be suspended until the violation is corrected. Additionally, notice provides the owner with the process the owner must follow to contest the notice and their opportunity to be heard in accordance with Arizona state law as well as written notice of the owner's option to petition for an administrative hearing on the matter in the Department of Real Estate pursuant to Section 32-2199.01.

Note: When a violation of the Community Charter, Exhibit "B", Initial Rules, is noted, the Board may take whatever enforcement action necessary to remedy the violation without adherence to the above procedures (e.g., impose monetary penalty, exercise self-help, suspend privileges, proceed with legal action, etc., at the owner's expense).



Marley Park Community Association, Inc. Schedule of Monetary Penalties

Adopted November 9, 2016
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In accordance with the Community Charter for Marley Park, Chapter 9, Compliance and Enforcement, paragraph 9.1(a), the following schedule of monetary penalties, approved by the Board of Directors of Marley Park Community Association, Inc., may be imposed for violations of the governing documents.

Violation	Monetary Penalty
Amenity Violation	\$100.00
Animals & Pets	\$50.00
Commercial Vehicle*/Recreational Vehicle/Inoperable Vehicle	\$150.00
Exterior Architectural Maintenance; Missing/Damaged Elements	\$150.00
Landscape Maintenance Violation(s)	\$150.00
Short Term Property Rental	\$500.00
Trash/Recycling Container Visible on Non-Collection Days	\$25.00
Unapproved Architectural Modification(s)	\$200.00

*See attached Exhibit A, Defining Commercial Vehicles

Complaints must be in writing through the Marley Park Community Concern Form, available on www.marleypark.com. Management does not act on anonymous information in accordance with A.R.S. § 33-1803.

Monetary Penalties are subject to change. Please refer to the current years MPCA Assessment & Fee Schedule. If you require further information, please contact the Marley Park Community Association, Inc. at 623-466-8820 or communityassociation@marleypark.com.



Exhibit A
Defining Commercial Vehicles

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The term "Commercial Vehicle" is defined as any motorized vehicle or towed vehicle designed or used for a commercial or industrial function. This includes:

- Any vehicle registered or insured as a commercial vehicle.
- Panel trucks with commercial signage.
- Any vehicle, regardless of rating, that has visible racks for equipment, supplies or tools installed, or other appurtenances commonly used for commercial or industrial function.
- Vehicles with commercial lettering/signage or wraps that serve to promote or advertise a business or service. Magnetic overlays that closely match the vehicle color may be used to completely cover commercial lettering/signage.
- This definition shall not apply to vehicles that are permitted under *A.R.S. § 33-1809*.