

RULES AND REGULATIONS PROPOSED CHANGE

Preamble – In accordance with Desert Shadows ***Covenants, Conditions and Restrictions*** (Article IV, Section 6), the Board may adopt, amend or repeal rules and regulations that it deems reasonable. At least 30 days prior to adopting rule changes the Board shall provide Members with written notice of proposed changes. This notice shall include the text of the proposed rule change and a description of the purpose and effect of such proposed change.

Proposed Change to the Fines Schedule incorporated into the Policy for Fines, Penalties and Hearing Procedures attached to the DSRV Owners Association Rules and Regulations

Proposed New wording

Two new clauses are to be added as follows:

CONTINUING FINES FOR CONTINUING VIOLATIONS – The Association’s Notice of Hearing may provide that the Board will consider the imposition of the fine on a continuing daily, weekly, or monthly basis. If such continuing fine is imposed by the Board, after the hearing, the responsible owner will be liable for the amount imposed for each day, week, or month, as appropriate, that the violation continues unabated. Owners subject to continuing fines are responsible for notifying the Association promptly upon bringing their property into compliance, so the Association can confirm that the owners have cured the violation and otherwise come into compliance and halt future recurring fines.

INCREASED FINES FOR REPEATED OR CONTINUING VIOLATIONS – Fines shall be in addition to any reimbursement assessment that may be levied to reimburse the Association for its expenses and costs. Fines for continuing or repeated violations may be increased at the discretion of the Board, following notice of hearing up to \$1,000 each, or double the amount set forth in the table above, whichever is greater. Four (4) or more related or unrelated violations assessed to a single lot in any 12-month period may result in an additional fine of up to \$2,000.00, at the discretion of the Board, following notice and a hearing.

Purpose and the Effect of proposed change:

The Fine Schedule has not been updated since it was adopted in 2010. The proposed change has been suggested by the Resort’s legal advisor to keep the Resort’s Rules and Regulations current and consistent with penalties adopted by like Resorts.

Comments and Feedback:

Comments or feedback from Members relating to the proposed changes shall be provided to the Board or to the Resort Manager before August 7, 2020. The Board will consider any comments made by Members before final adoption of the change. Members will receive notice of the rule change once adopted.
