

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE BOARD & COUNSEL REVIEW

- All Members shall refrain from interfering with the duties of Board members, management staff and contractors. No Member shall interfere with the duties of the management staff or any contractor executing a contract in process. All communications with contractors and management staff must go through the President of the Board or executive director, or must otherwise be in accordance with Board policy.
- All Members shall show respect to fellow Members, residents, Board of Directors and management company.
- Members may report any conduct believed to be in violation of these Rules to the Association's executive director.
- All Members shall be responsible for the conduct of the occupants of their Unit, tenants, agents, employees, customers, contractors, licensees, guests, or invitees of any Member or of such Member's tenants or occupants while in Mariposa. Members shall be responsible for ensuring that these individuals comply with these Rules and all governing documents.

VIOLATIONS OF RULES

ISSUE #1

Any Member who is found to be in violation of these Rules will be subject to appropriate remedial action, including, but not limited to, injunctive relief being sought against him/her, fines, requiring all further communications with the Member to be in writing, limiting communications with the Member to mail, and suspension of membership privileges. Such remedial action shall be at the sole discretion of the Board of Directors.

The President certifies that this Board Resolution was adopted by the Board of Directors at the Board meeting held on February 25, 2026.

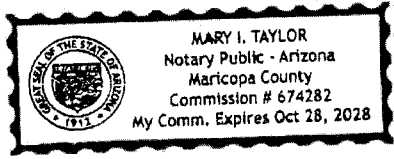
Mariposa Community Association, Inc.

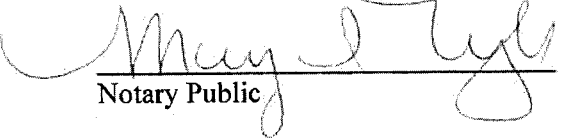
By: 

Its: President

STATE OF Arizona)
COUNTY OF Maricopa) ss.

The foregoing document was acknowledged before me by Boyer Theria,
President of Mariposa Community Association, Inc., on behalf of that corporation this 12 day of
March, 2026.




Notary Public

Sec. VIOLATIONS OF RULES (p. 3): Fining provision authorizes fines without prior notice, an opportunity to be heard, or an established schedule of fines in violation of NMSA 1978, § 47-16-9 and § 47-7C-2(A)(11).

Statutory / Legal Reference: NMSA 1978, § 47-16-9 & § 47-7C-2(A)(11)

Statutory Comparison: Under NMSA 1978, § 47-16-9 (New Mexico Homeowners Association Act) and § 47-7C-2(A)(11) (New Mexico Condominium Act), after notice and an opportunity to be heard, the board may levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association in accordance with a previously established schedule of fines.

CURRENT WORDING IN DOCUMENT:

including, but not limited to, injunctive relief being sought against him/her, fines, requiring all further communications with the Member to be in writing, limiting communications with the Member to mail, and suspension of membership privileges. Such remedial action shall be at the sole discretion of the Board of Directors.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to NMSA 1978, § 47-16-9 and § 47-7C-2(A)(11), the Association shall not impose any fine or monetary penalty unless the fine is levied in accordance with a previously established written schedule of fines furnished to lot/unit owners and only after the owner has been given prior written notice of the alleged violation and a fair opportunity to be heard before the Board.