

President Mike Jans –

I am submitting two formal complaints, and would like them addressed at the next BOD meeting.

- 1) My first formal complaint is against lot #65. The basis of my complaint stems from Addendum A of the Bylaws section 2.7 “ . . . ***The Owner shall, in any event, complete the construction within eighteen (18) months after commencing construction . . .***” And as you’ve stated several times the ACC is an arm of the BOD (therefore still responsible for actions of). Lot #65 construction has been going on for 20 months without notice of to ACC as to extension requests. In addition, the owner of lot #65 is failing to control his subs’ code of conduct, work ethics, and respect for the members of our community.

Examples included: **destruction of my personal property, multiple trespassing instances by Laliberte(documented via cameras), littering (cigarette butts), intimidation, harassment, public urination, parking violations (in accordance of Maricopa County), dust control violations,illegal Finer Touch contracting sign, concrete washouts onto Blue Wash and into a wash, and many other items. *We also have email from the owner(Laliberte) stating he would repair our property(crushed pavers/cracked driveway/address tiles broken), and not park equipment/vehicles in front of driveway, which has not been exhibited nor repairs attempted in over 14 months . MCSO has been called 3x(documented). There are NO more strikes. You allow this individual to hold a position on a TH board? When he lies to his constituents? There is NO PARKING allowed along Blue Wash Rd (or anywhere in TH)as per MCSO and we are continually having our ingress/egress completely blocked from our driveway. As well as vehicles parked on our property with catalytic converters. We have documented over 750 incidents with pictures to prove.We are especially surprised at the selective enforcement under the watchful eyes of BOD/ACC Welcome Wagon member Jackie Hoaglund next door.***

- 2) My second formal complaint is against lot#212B. I have been hearing accusations of violations within the neighborhood, and the BOD being responsible for upholding these guidelines. All this time, I have heard nothing about the large storage unit(conex) next to Raven's View. Why is this allowed to be here knowing the DofRs you uphold?! Per section 11 of the DofRs (below) "***No temporary . . . structure . . .***"

11. No temporary building, shack, tent, trailer, or unsightly structure shall ever be erected or maintained in Tonto Hills; provided that nothing herein contained shall prevent the erection of a temporary shop or office structure by a contractor or builder during the actual bona fide construction of a permitted structure upon the premises. No garage, stable, or guest house, shall be commenced or erected on any lot until the construction of the main building complying with these restrictions shall have been started thereon.

I fully expect the THIA BOD to be fair and to act on this lot owner as it has to other owners in this community. In addition, I've also heard that due to THIA/ACC violations, the DWID is responsible for locking out a water meter?! After further research to see if this was true, I noticed in the DWID polices & procedures that yes 2.5.2B is reason to

shut off water, but also is 2.5.2C. So, again to be fair to all property owners, you have a responsibility to act as you did to the lot owner on La Plata. While I feel this is completely unjustified - I expect the DWID to immediately send notice, and lock Lot# 212B's meter within 5 days of this email, which again, is what I believe was the timeline of events that occurred on the lot being constructed on La Plata; the DWID (with members sharing roles on other committees made them knowledgeable) took initiative with a violation and they acted. I have attached below facts of my complaint.



2.5.2 Refusal of Service

The THDWID may refuse to establish or continue service if any of the following conditions exist:

- A. Applicant has an outstanding amount due for any service or assessments with the THDWID, and the THDWID and the Applicant are unable to agree upon arrangements for payment.
- B. Applicant has not obtained approval from the Tonto Hills Architectural Control Committee for planned construction/development on the parcel.
- C. Customer is in violation of rules or policies of the Tonto Hills Improvement Association or Architectural Control Committee.
- D. A tenant has left the account with an outstanding balance for which the parcel owner is responsible for payment and the THDWID and parcel owner are unable to agree upon arrangements of payment.
- E. A safety or hazardous condition exists on the parcel, or the Customer is violating any federal, state, or local laws, ordinances, statutes, rules or regulations on the parcel.
- F. Refusal by the Applicant to provide the THDWID with a deposit.
- G. Customer is known to be in violation of the THDWID's rules and regulations
- H. Failure of the Customer to furnish such funds, service equipment, and/or rights-of-way necessary to serve the Customer and which have been specified by the THDWID as a condition for providing service.
- I. Applicant falsifies his/her identity for the purpose of obtaining service.
- J. Applicant interferes with the THDWID's access rights or needs.