

The Springs at Santa Rita HOA

Title: Public Safety Policy

Version: 0001	Effective Date: 05-13-2025
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Policy Statement:

It is the goal of the Homeowners Association (HOA) of The Springs at Santa Rita to foster a safe and cohesive community engagement that will enhance the quality of life while supporting efforts to maintain maximum property values. The Board of the HOA is bound by the governing documents, all state of Arizona laws and statutes, as well as all Federal laws.

It is the duty of the HOA to avoid a hostile or public nuisance living environment within the common areas.

The HOA is not obligated to tolerate dangerous people or conditions based upon the “direct threat exception” as outlined in the Fair Housing Act.

Needs and Purpose:

This will establish a framework by which homeowners and residents may identify, assess, and respond to direct threats within the community and its common areas.

It is important that everyone has a basic understanding of their rights and what actions can be taken as outlined in the Covenants, Conditions, and Restrictions (CC&Rs).

Scope:

This policy applies to all stakeholders involved in maintaining public safety within The Springs at Santa Rita, including but not limited to the common areas.

- Homeowners
 - Residents (renters and their family members)
- Guests
- Law enforcement
- Emergency Services
- Non-resident workers (delivery persons, etc.)

Reporting suspect behavior facilitates interventions. Homeowner to homeowner disagreements are not under the purview of the HOA governing body.

Definition:

Direct Threat – A significant risk of substantial harm to the health or safety of an individual or others that cannot be reduced or eliminated by reasonable accommodation (Americans With Disabilities Act)

- Significant risk: Poses a substantial and/or immediate danger
 - Example: escalating violence
- Substantial harm: Potential for serious or greater injury
 - Example: suicide/threat of self harm
- Cannot be eliminated: Even with reasonable accommodation
- Assessment: Case-by-case evaluation
- Factors considered: Physical or mental state of individual or condition of physical properties posing the threat
 - The Fair Housing Act makes no provision/protection for a disability that presents a threat

(U.S. Department of Justice, Threat and Intimidation Response Guide, www.FBI.gov)

Identification of Threats:

- **In-Person Threat:** When you or another is in imminent danger
- **Phone Threat:** Received by telephone
- **Electronic Message Threat:** A threat received via direct message, email, or social media
- **Cyber Attacks:** Compromise of your electronic device potentially exposing personal information.

Guidelines for Reporting Threats:

- **Any Emergency:** Dial 911
 - When you are unsure, always dial 911
- Examples of non-emergencies
 - Neighbor to neighbor disagreements
 - Vandalism
 - Welfare/well-being checks
 - Suspicious person
 - Lost/Found property
 - Abandoned vehicle
 - Cattle on roadway

(Pima Co. Arizona, Sheriff's Dept. 601 N. La Canada, Green Valley, Arizona
Non-emergency phone 520-351-4600)

Common Areas

The HOA has an obligation to avoid a hostile or unsafe environment in common areas.

Mitigating Risk in Common Areas

- Common areas will be routinely kept maintained and safe.
- Parks, walkways, and equipment will have routine scheduled assessment for risk of injury or malfunction.
- Safety equipment will be kept in good repair and in safe working order.
 - Example: AEDs – Monthly inspections are recorded in the monthly minutes
- Areas of travel will be kept free of obstruction; persons, debris, or other material that could impede the flow of traffic.
 - See Arizona Pedestrian Laws and Safety, C: 28 – 796 as it pertains to hitchhiking, workers, etc.

Violation Enforcement and Process

Notice of violations and enforcement will be carried out in accordance with the Arizona Planned Communities Act § 33-1803 and CC&Rs Article 12.

- Penalties or corrective actions may be imposed in the form of but not limited to:
 - Fines
 - Cease and desist orders
 - Suspension of use of common areas
 - Arrest by proper authorities for trespassing – even as a resident
- Actions:
 - Each individual safety threat will be addressed in accordance with the governing documents of The Springs.