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No. 23F-H046-REL

ORDER

Rancho Del Lago Community Association,
Respondent.

Hearings conducted before the Office of Administrative Hearings (“OAH”), in accordance with Arizona Revised Statute (“ARIZ. REV. STAT.”) § 41-1092.07(F)(1), do not adhere to the Rules of Evidence or Rules of Civil Procedure as required in judicial proceedings. Because Petitioner has paid a filing fee for the underlying petition at issue, and in light of the absence of any applicable statute, regulation, or otherwise binding authority available to grant Respondent’s motion, Respondent’s motion to dismiss must be **denied**.

The sole issue for hearing in the above-captioned matter is whether Respondent violated Appendix B, paragraph 5, of its Covenants, Conditions, and Restrictions (“CC&Rs”), and if so, whether the imposition of a civil penalty would be appropriate based on the substantive facts. Petitioner shall present her Case-in-Chief consistent with ARIZ. REV. STAT. § 41-1092.07(D) and Arizona Administrative Code R2-19-115 and R2-19-119, and Respondent shall be afforded an opportunity to MOTION FOR A JUDGMENT AS A MATTER OF LAW and/or present evidence in rebuttal.

Notably, it is apparent from the litany of submissions by each party that both are unfamiliar with the administrative hearing process and OAH's jurisdictional authority. The undersigned strongly encourages both parties to do their due diligence in familiarizing themselves with administrative practice by visiting <https://www.azoah.com/fag.html>.

1 . Done this day, July 10, 2023.
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5 **Office of Administrative Hearings**

6 /s/ Jenna Clark
7 Administrative Law Judge

8 Transmitted by either mail, e-mail, or facsimile to:
9

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