

## The Gardens at Willow Creek, Inc. – Statement on Passmore Matter

The Gardens at Willow Creek’s (“Association”) recorded Declaration and both Arizona and Federal law provide that the Association is an age restricted community – meaning that individuals under 19 years of age are prohibited from residing within The Gardens at Willow Creek.

The Association is governed by volunteer Board of Directors (“Board”) made up of elected owners of property in the Association. The managing agent takes direction directly from the Board.

The Board takes its responsibilities under the Association’s governing documents, as well as the concerns that owners express, seriously. The Board appreciates the difficulty of these circumstances but must balance the interests of all parties involved, the Passmores, and all other owners who purchased property in an age restricted community expecting the age restrictions to be followed.

Generally, community associations that fail to enforce their residency age restrictions leave themselves open to legal claims from other residents and could even endanger the ability of the association to remain an age restricted community.

The Board believes it has appropriately balanced the interests of all parties involved. While the Board strives for a sense of community, the Board recognizes that residents may have a different perspective regarding how Association matters are handled, from time to time. As offered on several occasions, the Board is willing to meet with the Passmores to discuss this matter in further detail and will continue to evaluate information regarding this situation as it is provided.