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17 **IN THE SUPERIOR COURT OF ARIZONA**
18 **COUNTY OF MARICOPA**

19 STATE OF ARIZONA, ex rel. KRISTIN
20 K. MAYES, Attorney General,

21 Plaintiff,

22 v.

23 REDWOOD THUNDERBIRD MHPS,
24 LLC, d/b/a Redwood Mobile Home Park;
25 and

26 BOAVIDA COMMUNITIES, LLC,

Defendants.

Case No: **CV 2025-029395**

**APPLICATION FOR ORDER TO
SHOW CAUSE RE VIOLATIONS OF
ORDER APPROVING STIPULATION
IN LIEU OF PRELIMINARY
INJUNCTION**

(Assigned to the Hon. Christopher Whitten)

27 Pursuant to Arizona Rules of Civil Procedure 7.3 and 65(f), Plaintiff State of Arizona, *ex*
28 *rel.* Kristin K. Mayes (the “State”) moves the Court to issue an Order to Show Cause, ordering
29 Defendants Redwood Thunderbird MHPS, LLC and Boavida Communities, LLC (“Defendants”)
30 to appear and show cause why Defendants should not be adjudged in contempt of this Court for
31 violating the terms and provisions of the Order Approving the Parties’ Stipulation in Lieu of

1 Preliminary Injunction, filed by this Court on February 18, 2026 (the “Stipulated Order”) (Doc.
2 36).

3 This Application for Order to Show Cause (the “Application”) is supported by the
4 following Memorandum of Points and Authorities and the declaration of Heather Hamel in the
5 Office of the Attorney General with knowledge of the facts that give rise to this Application.
6

7 **MEMORANDUM OF POINTS AND AUTHORITIES**

8 **I. Factual and Procedural Background**

9 Redwood Mobile Home Park (“Redwood” or the “Park”) is a manufactured home
10 community located in Tucson, Arizona. The Park is owned and/or managed by the Defendants.
11 For years, the overloaded electrical system at the Park experienced regularly occurring outages,
12 which peaked during the summer months. In the summer of June 2025, those outages intensified
13 in frequency, and began shutting down multiple times a day, sometimes for hours at a time.

14 These frequent outages deprived Redwood tenants of the ability to power their air
15 conditioning units and adequately cool their homes, exposing them to dangerous extreme heat.
16 To protect the health and safety of residents, the State filed an Application for a Preliminary
17 Injunction on September 2, 2025. Evidentiary hearings were held on October 30, 2025 and
18 November 24, 2025. At the conclusion of those hearings, the Parties decided to file a Stipulation
19 in Lieu of a Preliminary Injunction, outlining basic terms agreed upon at that November 24, 2025
20 hearing. During the drafting process of the Stipulation, the Parties went back-and-forth on the
21 timeline for the completion of such repairs. [Decl. of Heather Hamel. ¶¶ 5-7]. The Defendants
22 reassured the State that electrical upgrades were already in process; and both agreed that the
23 repairs should be completed before the 2026 summer and before triple digit temperatures. [*Id.*].

24 On February 10, 2026 (Doc. 34), the Parties filed said Stipulation, which included a “TIME
25 IS OF THE ESSENCE” clause. The Court issued an Order Approving the Stipulation on February
26 18, 2026 (Doc. 36).

1 **II. Defendants Non-Compliance with the Order Approving Stipulation**

2 The Order Approving Stipulation requires the Defendants to complete the following repairs
3 by March 30, 2026:

- 4 • Upgrade the Park’s main electrical service capacity from 600 amps to 800 amps;
- 5 • Install new underground conductors inside of conduit for approximately one-half of the
6 Park;
- 7 • Install extra conduit in any trenched area of the Park, for future replacement and repair;
- 8 • Repair and/or replace all pedestals that post a health and safety risk to residents;
- 9 • Repair any unauthorized electrical alterations made by tenants;
- 10 • Replace all major electrical appliances that can run on natural gas, at no cost to the
11 tenants; and
- 12 • Conduct Megger Insulation Resistance testing bi-annually, starting in March 2026;

13 (Doc. 34, p. 4-5).

14 To the State’s knowledge, none of these agreed-upon terms have been completed as of this
15 filing, although a number of tenant pedestals have purportedly been replaced. Allegedly, part of
16 the delay was caused by Defendants’ failure to complete repairs within the time frame of their
17 original permit, and they had to apply for an additional one, which was granted the first week of
18 April 2026. [Decl. of Heather Hamel, ¶¶ 10-12]. However, Defendants still have not completed
19 the court-ordered repairs. In fact, despite the State’s best efforts to secure compliance, Defendants
20 have yet to provide even an estimated date for when they will break ground and initiate major
21 repairs at the Park. [See generally, Decl. of Heather Hamel].

22 Tucson has already seen multiple weeks with triple-digit temperatures this year, and
23 residents at Redwood have once again started to experience frequent electrical outages that affect
24 the habitability and safety of their homes.

25 In its Order, the Court specifically noted that “timely performance is an essential and
26

1 material term to this Stipulation.” Redwood tenants should not have to suffer through another
2 summer with unreliable electricity. For this reason, the State respectfully requests that the Court
3 intervene to enforce its Stipulated Order.

4
5 **III. Civil Penalties**

6 As a result of the Defendants’ violations of the Stipulated Order, the State is requesting an
7 Order to Show Cause, along with civil penalties.

8 Pursuant to A.R.S. § 44-1532, the Attorney General may petition for the recovery of civil
9 penalties for the violation of any injunction issued pursuant to the Arizona Consumer Fraud Act:

10 A person who violates any order or injunction issued pursuant to this
11 article shall forfeit and pay to the general fund of the state of Arizona
12 a civil penalty of not more than twenty-five thousand dollars per
13 violation . . . In such cases, the attorney general acting in the name of
14 the state may petition for the recovery of civil penalties.

15 The State requests relief in the form of civil penalties in the amount of \$25,000 per violation
16 from each Defendant who violated the Court’s Order Approving Stipulation. Each day that the
17 Defendants failed to complete the court-ordered repairs should be considered an independent
18 violation.

19 **IV. Conclusion & Requested Relief**

20 Defendants continue to willfully disobey and violate the Court’s Stipulated Order. No
21 Arizona resident should have to suffer in extreme heat or risk their lives at home simply because
22 a landlord cannot bother to fulfill its basic duties to consumers. To protect Redwood residents
23 from such misconduct and to safeguard their health and safety, the State requests the Court enter
24 the form of Order to Show Cause, filed simultaneously with this Application, including (1) an
25 order that Defendants to Show Cause as to why the agreed-upon repairs have yet to be completed;
26

1 (2) an order that Defendants complete the repairs in the Stipulated Order by May 15, 2026; and
2 (3) an order that Defendants pay civil penalties, sanctions, and other remedies as this Court deems
3 appropriate.

4 Dated: May 4, 2026

Respectfully submitted,

5 KRISTIN K. MAYES
6 Attorney General

7 By: /s/ Heather Hamel
8 Heather Hamel
9 Tarah White
10 Amanda Salvione
11 *Assistants Attorneys General*
12 *Attorneys for Plaintiff State of Arizona*
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1 **CERTIFICATE OF SERVICE**

2 **COPY** of the foregoing sent via email and
3 Certified Mail this 4th day of May, 2026 to:

4 *Attorneys for Defendants:*

5 Evans, Dove, Nelson, Fish & Grier, P. L. C.
6 Attn: Doug Nelson, Lee Dove, and Trevor Fish
7 2650 East Southern Avenue
8 Mesa, Arizona 85204

8 By: _____

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