

CARRINGTON AT LEGENDS NEIGHBORHOOD ASSOCIATION, INC

ASSOCIATION ENFORCEMENT POLICY

The Board of Directors, per Association By-Laws and Florida Statute, is charged with the responsibility of administering and enforcing the Declarations and Community Standards of the Association.

In addition, Sections 11.22.10 and 19.7 of the Declarations and Florida Statute Chapter 720, as amended, allow for the assessment of fines and the recovery of costs.

In consideration of the above, The Association and its Owners, Directors, Committee Members, Agents, and Employees should adhere to the following:

1. All Owner feedback, including suggestions, violations reports, common area service needs, complaints, or any other matter of concern be given to the Association Board of Directors, through its Management Agent, in writing or via e-mail.
2. A "Service Request" form will be made available to all Owners to communicate with the Board of Directors through its Management Agent. This form should be used to report the Owners' concerns and be mailed or faxed to the Management Agent office.
3. The Management Agent will take no complaints verbally. All Owners must submit a "Service Request" in writing and sign it before the Association can take any action. Members of the Board of Directors may choose, but are not obligated, to take complaints from Owners verbally and refer them to the Management Agent in writing.

VIOLATIONS

Violations of the Declarations and Community Standards shall be handled in the following manner:

1. Management Agent either witnesses the violation or receives a notice of violation from an Association Board Member who has witnessed the violation.
2. Management Agent will send a letter to the Owner clearly stating the violation noted. The Owner will be asked to comply within an establish time frame. If the owner wishes to appeal the violation, they will contact the Management Agent to arrange an appearance before the Community Improvement Committee. If the Owner has on file with the Management Agent an address different from the local address within the Association, letters will be sent to both addresses.
3. If the violating Owner does not comply within the established time frame (Minor vs Major violations), the Management Agent will be directed to send a 2nd letter for all major violations.
4. Upon the issuance of a 2nd violation notice, the Management Agent has Board authority to automatically issue a 14-day notice of appearance before the Community Improvement Committee proposing a \$50.00 fine.
5. If the violation continues, the Board of Directors will determine what additional steps to take, up to and including pre-suit mediation and litigation.

FINES

A fine may be imposed on the basis of each occurrence or each week of a continuing occurrence, with a single notice and single opportunity for hearing.

Fines will be assessed at a rate of \$50 per violation or \$50 per week thereafter as long as the violation remains in effect up to a total of \$1,000 per incident, or the maximum allowable by law whichever is more. A fine of less than \$1,000 may not become a lien against a parcel.

Owners are responsible and will be fined for the actions of themselves, and their tenants, guests, agents, contractors, and invitees.

Fines will be billed and collected by the Management Agent according to existing Policies of the Association.

The association may suspend the voting rights of a parcel or member for the nonpayment of any fee, fine, or other monetary obligation due to the association that is more than 90 days delinquent. All suspensions imposed must be approved at a properly noticed board meeting. Upon approval, the association must notify the parcel owner and, if applicable, the parcel's occupant, licensee, or invitee by mail or hand delivery.

COMMUNITY IMPROVEMENT COMMITTEE

The Community Improvement Committee (a hearing committee as defined under Florida Statute Chapter 720, as amended) may be established per the Declarations to administer fines of the Association and work with residents for the betterment of the Association.

When the Board of Directors creates this Committee, it must consist of at least three (3) but no more than seven (7) Owners who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. The Committee should have an odd number of members. A quorum is established with three (3) members present.

The purpose of the Committee is to offer a confidential venue for the Owner in violation to work out a solution to the problem. If the Committee, by a majority vote, does not approve a proposed fine, the proposed fine may not be imposed.

The role of the committee is limited to determining whether to confirm or reject the fine levied by the board. If the proposed fine levied by the board is approved by the committee, the fine payment is due 5 days after the date of the committee meeting at which the fine is approved. The association must provide written notice of such fine by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.

Failure of an Owner to appear after proper notice does not block the Committee from approving fines.

The Committee reports to the Board of Directors and should operate as follows:

- A. Appoint a Chairman to lead and conduct the meetings.
- B. Appoint a Secretary to record all pertinent facts. Committee reports are strictly confidential.
- C. Meet confidentially with the Owner subject to the 14-day notice.
- D. Review the Owner's situation and vote on any fine to be imposed.
- E. When the hearing is completed, give a written report, with recommendations, to the Board of Directors for additional action.
- F. Approved fines should be imposed as directed by the Committee and the guidelines of this Policy.

If the above has been followed and the problem has not been resolved, the Board must pursue all available options including pretrial mediation and litigation.

Board Approved: November 9, 2019