

Bucks Run Reserve

ENFORCEMENT POLICIES AND PROCEDURE

[Adopted by the Board of Directors by Resolution, May 7th, 2018]

- (1) Owners may report violations to the Association Manger.
- (2) The Board of Directors, the Association Manager, or committee appointed by the Board of Directors, hereafter referred to as the "Rules Committee" may also note any violations discovered during a walk-through or by personal knowledge of any of its members or representatives.

Florida Statutes Title XL Chapter 720.305 for HOA deals with leveling reasonable fines for HOA. Prior to any fine being levied, the following steps shall be taken when a violation of our Bylaws, Rules and Regulations has been detected.

1. A verbal, e-mail or written/printed note will be given to the resident outlining the violation of our Bylaws, Rules and regulations.
2. A formal written notice from our Management Co. to the resident outlining the violation of our Bylaws, Rules and Regulation.

[Note: The Board may choose to send a second written notice and final warning before moving forward with a fine, but only one written notice is required by law.]

3. If a violation is not corrected within (14) days following the date of the written notice of violation, or if the Owner's response is otherwise not favorable, the matter will go before the Board for a decision on enforcement. The Board may consider fines up to \$100.00 per instance (with each continuing day being a separate fineable instance). The Board may also consider a suspension of amenities rights. Calculation of the daily fines will begin the first day following deadline for compliance provided in the first notice (14 days, in most instances). If the violation involves exterior architectural issues, the Association will also have a right to enter the Lot to cure or remove the violation and the Owner will be responsible for costs incurred as an individual assessment.

4. Owners who are fined or suspended will receive a written notice from the Association Manager or Association Attorney, specifying the fine or suspension imposed and sent by certified mail. Pursuant to Florida law, the Owner (or tenant, as may be the case) will be afforded an opportunity to meet with the Rules Committee to present reasons why the fine or suspension is invalid or improper. If the Owner does not request such a meeting within (14) days following receipt of the written fining or suspension notice, the opportunity for a hearing shall be waived. If a meeting is requested, it will occur no sooner than (14) days of the receipt of the letter providing notification of the fine or suspension. The Association Manager or Attorney shall provide the Owner with written notice of the hearing at least (14) days in advance of the hearing. [Note: Board members and relatives of the Board members by law are not permitted to serve on the Rules Committee.]
5. At the hearing, the facts of the alleged infraction(s) shall be presented to the Rules Committee. The Owner shall then have a reasonable opportunity to present evidence as to why the penalty(s) should not be imposed. If the Rules Committee, by a majority vote, does not approve the fine or suspension, it may not be imposed. If the Committee approves the fine or suspension by a majority vote, it may be imposed and enforced. The Rules Committee cannot alter the penalty imposed by the Board. It can only approve or disapprove the Board's penalty.
6. No fine shall exceed one thousand (\$1,000.00) in the aggregate. Fines of \$1,000 shall be treated as an assessment due to the Association and can be forwarded to the attorney for collection and lien, if not paid.
7. All monies received from fines shall become part of the common surplus.
8. Fines shall not be construed to be an exclusive remedy, and shall exist in addition to all other rights and remedies to which the association may otherwise be legally entitled (e.g. pre-suit HOA mediation).
9. If a valid fine remains unpaid for more than 90 days, the Board will have the right to suspend amenities rights with a single written notice to the Owner. No additional hearing is required.
10. In cases where fines and/or suspensions are not effective or practicable, the Board of Directors will have the right to seek legal counsel and will consider mandatory pre-suit mediation under Chapter 720 and other more

severe legal remedies. Owners in violation who fail or refuse to correct a violation will be responsible for the Association's legal expenses if such legal remedies become necessary.

11. All action taken by the Board in steps (1) and (2) will expire on the date of each annual meeting of Bucks Run Reserve.

Done and resolved this 7TH day of MAY, 2018

HOA President 