

The Reserve at Crossing Creek Village Phase II
Homeowners Association Compliance Enforcement Process

Process to be utilized by:

- Compliance Committee
- Board of Directors
- Property Manager

The Reserve at Crossing Creek Village Phase II

Homeowners Association Compliance Enforcement Process

I. Overview:

The objective of the violation process is to ensure compliance with the Association documents in a fair, consistent, and systematic manner. A formally adopted procedure for handling violations will eliminate potential ambiguity and allows for due process.

Due process is a formalized protocol designed to protect the rights of all parties involved. Utilizing this process will ensure that violations are handled in a consistent manner and provide an opportunity for the homeowner to be heard.

The due process allows for a hearing in front of an independent committee upon proper notice, which provides homeowners with an opportunity to be heard. A fine or suspension may not be imposed without a minimum fourteen-day advance notice to the person sought to be fined or suspended and an opportunity for a hearing before a Compliance Committee (Committee) of at least three members appointed by the Board. The Committee members should not be officers, directors, or employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee.

The process described below utilizes three standardized written communications issued to the offending party prior to a fine being levied.

This process will be used in conjunction with regular positive proactive communications with all homeowners as to the benefits of properly maintaining their homes. It will detail the activities the Association is taking to protect and enhance the value of the assets within the association and ask that homeowners also do their part.

II. Compliance Enforcement Process:

1. The Management company for RCCV2 receives direction from the Board of Directors on the degree of enforcement and frequency of inspections. The Process will be performed on a consistent and systematic basis with ALL homes in the community inspected on a periodic basis.
2. The Compliance Committee will assist with the enforcement process. (*"The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the Board."*¹)
3. Proactive standard monthly communication to residents (e-blast), website, or newsletter will inform them of this upcoming inspection and relay the most common deficiencies. This communication is intended to limit the amount of deficiencies noted during inspection and letters sent to residents by requesting that residents take time to identify any potential infractions on their home and cure them prior to inspection.

¹ 720.305 (2b), F.S.

4. Based on the above, management, BOD, or the Compliance Committee performs the property inspection.
5. **First Letter** - Written notice will be sent to the owner of the property identifying the violation in question and provide homeowners with a predetermined amount of time to correct the violation. This first letter is designed to be a friendly reminder.
6. The Management company, BOD, or the Compliance Committee will perform a follow-up inspection based on the time allocated to cure the violation.
7. **Second Letter** – If the violation has not been cured, a second letter will be sent to the owner. The second letter references the first letter and utilizes stronger wording. It provides the owner with an additional predetermined time to cure and/or it informs the owner that the Association will correct the violation and charge the owner's account.
8. The Management company, BOD, or Compliance Committee will perform a follow-up inspection based on the time allocated to cure identified in the second letter.
9. **Third Letter** –This final notice will inform the owner that the Board of Directors has approved a fine, suspension, or other permissible sanction. The third letter invites the owner to attend the Compliance Committee meeting and identifies where and when the meeting will be held. The third letter provides a minimum fourteen-day advance notice and is sent via certified mail, return receipt requested, and via regular mail. The Compliance Committee meeting is required to take place regardless of whether or not the owner or person sought to be fined actually attends.
10. At the Compliance Committee meeting, the Committee will approve or reject the fine, suspension, or other permissible sanction that the Board of Directors has levied. At the Compliance Committee meeting, the owner may present statements, or other evidence, as to why there should not be a fine or a suspension. If the Compliance Committee, by majority vote, does not approve a proposed fine or suspension, then it will not be imposed.
11. **Fourth Letter** - (if a fine or suspension is approved) – The fourth letter will inform the owner that the Compliance Committee has approved a fine, suspension, or other permissible sanction and will include the details of that fine or other permissible sanction.

III. **Additional Notes:**

1. All letters will include a description of the alleged violation, a picture of violation if applicable, homeowner's name and address, lot/block number and timeframe to cure.
2. First and second letters will be sent via regular mail the remaining letters will be sent via certified mail with return receipt requested. The third letter requires a minimum fourteen-day (14) advance notice prior to the hearing.
3. The Committee should establish a predetermined day, time, and location for its meeting.
4. The Committee should have a chairperson and co-chairperson, and consist of at least three Committee members.
5. After each case is heard, the Committee should make a motion to confirm or reject the fine, suspension, or other permissible sanction, and the appropriate amount per day and/or

occurrence previously approved and imposed by the Board of Directors. The Committee does not have the authority to either reduce or increase the proposed fine.

6. Fines will be \$100 per day, up to a maximum of \$1,000 per violation, unless a higher amount is approved by the Board of Directors. The Association's governing documents can be amended to increase the amount of a particular fine or the amount of the total aggregate amount of a continuing fine.

IV. Number of Days to Comply:

Description	1st Notice	2nd Notice	Hearing Notice	Fine
Exterior Modification	25 Days	15 Days	14 Days	\$100/day
Removal of Dead Tree	25 Days	15 Days	14 Days	\$100/day
Clean Driveway	25 Days	15 Days	14 Days	\$100/day
Paint/Repair Fascia	25 Days	15 Days	14 Days	\$100/day
Fence Maintenance	25 Days	15 Days	14 Days	\$100/day
Trim Palm Fronds	25 Days	15 Days	14 Days	\$100/day
Trim Hedges 8ft or 6ft	25 Days	15 Days	14 Days	\$100/day
Lawn Infestation	25 Days	15 Days	14 Days	\$100/day
Maintain Landscaping	25 Days	15 Days	14 Days	\$100/day
Maintain Lawn	25 Days	15 Days	14 Days	\$100/day
Repair Mailbox	25 Days	15 Days	14 Days	\$100/day
Paint Fence	25 Days	15 Days	14 Days	\$100/day
Repair Drive & Side	25 Days	15 Days	14 Days	\$100/day
Clean Roof	25 Days	15 Days	14 Days	\$100/day
Roof - Replace Tiles	25 Days	15 Days	14 Days	\$100/day
Clean Sidewalk	25 Days	15 Days	14 Days	\$100/day
Touch Up Paint	25 Days	15 Days	14 Days	\$100/day
Tree Trimming	25 Days	15 Days	14 Days	\$100/day
Clean Walls	30 Days	15 Days	14 Days	\$100/day
Barking Dog	Immediate	7 Days	14 Days	\$100/day
Debris	Immediate	7 Days	14 Days	\$100/day
Dog-Clean up	Immediate	7 Days	14 Days	\$100/day
Illegal Parking	Immediate	7 Days	14 Days	\$100/day
Pet - Clean up	Immediate	7 Days	14 Days	\$100/day
Pet on a leash	Immediate	7 Days	14 Days	\$100/day
Remove Misc. Objects	Immediate	7 Days	14 Days	\$100/day
Boat, Camper, Commercial Vehicles	Immediate	7 Days	14 Days	\$100/day