

**GRAND OAKS MASTER ASSOCIATION, INC.**

**Guidelines and Schedule of Fines**

**WHEREAS** Section 20.6 of the Declaration of Covenants and Restrictions for Grand Oaks Master Association and Florida Statute 720 have provided the Association with the power to enforce the Association's governing documents by levying reasonable fines against a Member for any violation of the Bylaws; the Declaration of Covenants, Conditions, and Restrictions and the Rules and Regulations, committed by such Member or any occupant of the Home owned by the Member, and

**WHEREAS** Section 9 of the Bylaws for Grand Oaks and Florida Statute 720 allow for the Board of Directors to appoint a Covenants Enforcement (Fining) Committee,

**NOW, THEREFORE, LET IT BE RESOLVED THAT** a Covenants Enforcement Committee (Committee) will be created consisting of three (3) to nine (9) Members of the Association who are not officers, directors or employees of the Grand Oaks Master Association or the spouse, parent, child, brother or sister of an officer, director or employee of the Association and that the following Guidelines and Schedule of Fines will be adopted and adhered to:

1. **Notice and Hearing:** In the event of a violation of the Association's Covenants or Rules and Regulations, the Community Manager for the Association shall provide the written notice of said violation to the Member (and tenant if applicable) giving a reasonable opportunity, under the circumstances, to correct the violation or, if a first-time and unintentional offense, to assure to the satisfaction of the Committee that the violation will not be repeated. The Member shall be entitled to a hearing before the Committee to contest the violation and/or fine that may be imposed. Notification of the hearing must be given at least ten (10) business days before the hearing is scheduled. At the hearing, the Member shall have the right to be represented by legal counsel and to have a reasonable amount of time to produce any statement, evidence, and witnesses on his or her behalf. A majority of the Committee must vote affirmatively to impose a fine or suspension. No suspension of a Member's right to use common areas may impair his/her right or the Member's tenant's right to have vehicular or pedestrian ingress and egress to and from the Home. Written minutes of the meeting shall be taken and shall include the results of the hearing and any fine/suspension that is imposed upon the Member and/or tenant.
2. **Continuing Violations:** For each day that a violation continues after a written notice of the violation has been issued to the Member by the community manager, it shall be deemed a separate and distinct violation and it will be subject to a separate daily fine, up to a maximum of thirty (30) daily fines per violation. . At the time that the Member begins to make a good faith effort to correct the violation, no further fines shall be levied. Additionally, the Committee has the right to require that the Member post a bond or other form of security in order to ensure future compliance to the governing documents.
3. **Lien Against Home:** Any fine levied against a Member and/or tenant, shall become a personal obligation of the Member. A lien may be placed upon the Home and the lien may be foreclosed in the same manner as a lien for unpaid community association assessments as allowed by Florida Statute 720.

4. **Fees and Costs:** Payment of any and all attorney's fees and legal costs incurred by the Association for the purpose or collection of the fine will be the responsibility of the Member.
5. **Priority of Payment:** Payments received from Member will be credited to their account in the following order
  - Attorney and legal fees,
  - Late fees and interest,
  - Fines,
  - Special Assessments,
  - Regular assessments, with application being made to the oldest month's delinquency first.

**Notice: Appropriate Legal action or referral to Alternative Dispute Resolution (ADR) may be taken at any point during this process. ADR and Legal Fees are to be reimbursed by the Member.**

**APPROVED:**

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**President**

\_\_\_\_\_  
**Date**

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**Secretary**