

FISHHAWK RIDGE HOMEOWNERS ASSOCIATION, INC.

Policy for Enforcement of Community Standards and Covenants

March 31, 2025

WHEREAS, Article III, Section 2, of the Declaration of Covenants, Conditions and Restrictions of Fishhawk Ridge Townhomes (the “**Declaration**”), and Florida Statute 720.305 have provided Fishhawk Ridge Association, Inc. (the “**Association**”) with the power to enforce the Declaration, Articles and Bylaws of the Association and its Rules and Regulations (collectively, the “**Governing Documents**”) by certain means including by suspending rights to use the common areas and levying reasonable fines against a member or any member’s tenant, guest, or invitee for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the Declaration, the By-Laws or reasonable rules of the Association; and

WHEREAS, Florida Statute 720.305 allows the Board of Directors to appoint a Compliance Committee.

NOW, THEREFORE, LET IT BE RESOLVED, that a Compliance Committee has or will be created consisting of at least three (3) members of the Association appointed by the Board of Directors and who are not officers, directors or employees of the Association or the spouse, parent, child, brother or sister of an officer, director or employee of the Association, that the following procedures will be adhered for the enforcement of the Governing Documents and the community standards for the community:

1. Duty to Comply with Covenants and Community Standards. All Property Owners are required to comply with all of the terms, conditions, covenants, and restrictions set forth in the Governing Documents and to maintain the community standards.

2. Property Inspections. Management shall inspect the property as outlined in the Management Agreement and document any violations within the community. Board Members may also report violations to Management for follow up. For any violation reported by a Lot Owner or tenant, Management shall verify the violation, document the violation and act upon it as outlined in the Management Agreement.

3. Board Levy of Fines: The Board shall levy fines for violation of the Governing Documents which are noted by Management or the Board. Depending on the nature of the violation a fine shall be immediately levied by the Board (*such as for dumping trash or garbage outside the dumpster or disposing of furniture or other large items inside of or adjacent to a dumpster that are not appropriate for onsite disposal, or otherwise violating the Association rules regarding trash and refuse disposal as outlined in the Association’s rules posted at all Fishhawk Ridge dumpster areas*) or levied by the Board after notice of the violation is given to the responsible party

in accordance with paragraph 4 and 5, below.

4. First Friendly Notice of Violation: Management will send written notice to the Owner (and tenant, if applicable) advising that a condition or behavior constitutes a violation of the Governing Documents and requesting the Owner (or tenant, if applicable) to correct the violation and to confirm that the violation has been corrected within the time provided in the First Notice. The First Notice shall be sent by regular first-class mail and shall include the following:

- Date the Property was inspected and/or the violation observed.
- Description of the nature of the violation.
- A reference to applicable section of the Governing Documents.
- Request for correction of the violation within a specified time period which may vary depending on the nature of the violation; and
- Compliance Form for communication with Management.

5. Second Notice of Violation – After the time period specified in the First Friendly Reminder has expired, Management will reinspect the community for compliance. If the property is still in non-compliance, then a second letter will be sent to cure such violation.

The Second Notice shall be sent by regular first-class mail and shall include the following:

- Date the Property was inspected and/or the violation observed.
- Description of the nature of the violation.
- A reference to applicable section of the Governing Documents.
- Compliance Form for communication with Management which may or may not be on a separate page as the Second Notice.

6. Referral to Compliance Committee; Hearing: Except for automatic fines as described in paragraph 3 above, if the violation has not been corrected within specified number of days after the Second Notice, Management shall bring the violation before the Board for levy of a fine. Once the Board has levied a fine (whether or not it was subject to prior notice), the Community Manager shall send a notice to the Owner (and tenant, if applicable) providing at least 14 days' notice of a meeting of the Compliance Committee, and advise the Owner (and tenant, if applicable) that the Board of Directors has levied a fine to enforce the Governing Documents (the "Notice of Hearing"). The Notice of Hearing shall be sent to the address of record on file with the Association and will contain date, time, and location of the hearing at which the fine or suspension imposed by the Board shall be considered, pursuant to Section 720.305, *Florida Statutes*.

7. The maximum amount of a fine shall be \$100.00 per violation per day for each day of a continuing violation, up to a maximum of \$1,000.00 per violation. The Notice of Hearing shall be sent by regular and certified mail.

8. Compliance Committee Hearing; Notice of Fine or Suspension: At the Compliance Committee hearing, the person to be fined or suspended shall have the opportunity to attend the hearing, with their attorney if they choose to do so, and present reasons why the fine or suspension should not be imposed. The person to be fined or suspended shall have an opportunity to present statements, evidence, on his or her behalf. If the Compliance Committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. The role of the Compliance

Committee is limited to determining whether to confirm or reject the fine or suspension levied by the Board of Directors. If a fine or suspension is imposed, the Association shall provide a written Notice of Fine or Suspension to the person fined or suspended. Written minutes of the Compliance Committee hearing shall be taken and shall include the results of the hearing and any fine or suspension that is upheld.

9. Failure to Comply: In addition to the remedies specified above, in the event an Owner shall fail to perform any maintenance, repair or replacement required under the terms of this Declaration, the Association may, after complying with the requirements of Article II Section 11(c) of the Declaration, have such work performed, and the cost thereof shall be assessed against such Lot by Specific Assessment under Article VIII, Section 7 of the Declaration. In addition, the Board may refer the matter to Association's legal counsel.

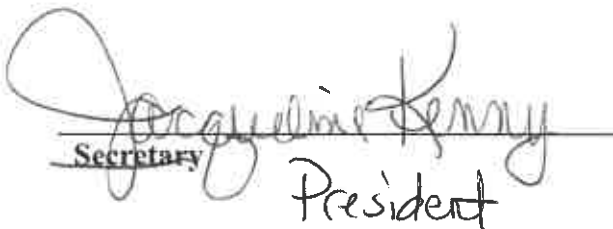
10. Attorney's Fees and Costs: The Owner or other person fined shall be liable for all attorney's fees and costs incurred by the Association to collect a fine. The Association may use all means available to it under the Governing Documents and Florida Statutes to collect the fine. Any fine of \$1000 or more, not paid by an owner in a timely manner, shall become a Specific Assessment against the Lot pursuant to Article VIII Section 7 of the Declaration.

11. Referral to Association's Attorney: If the violation is not cured or the fine, as well as applicable attorney's fees and costs, are not timely paid, the Community Manager shall refer the matter to the Association's attorney for further legal action and enforcement, unless otherwise directed by the Board. The Association's attorney shall pursue legal action to enforce the violation pursuant to the Governing Documents and Chapter 720, *Florida Statutes*, including but not limited to sending a demand for pre-suit mediation. The Association shall pursue legal action to collect unpaid fines and other charges in accordance with the Governing Documents and Chapter 720, *Florida Statutes*, including by lien and foreclosure.

12. Deviation from Policy. Deviation from these policies and procedures may occur when there is a reasonable basis to do so. The failure of the Board of Directors, Community Manager, or the Compliance Committee to strictly follow the policies and procedures herein or as otherwise practiced by the Association in its normal course of business shall not be a defense to the imposition of any fine or a suspension for a violation of the Association's Governing Documents, provided that the fine or suspension is imposed in accordance with Florida law and the Association's Governing Documents.

March 31

Approved by the Board of Directors at a meeting held on _____, 2025.


Secretary
President