

SAND LAKE POINT HOMEOWNERS ASSOCIATION, INC.

**BOARD RESOLUTION REGARDING THE LEVYING OF FINES
AND SUSPENSION OF USE RIGHTS**

RECITALS

WHEREAS, Section 720.305, Florida Statutes, as amended, grants authority to the Association to levy fines and suspend use rights and the Declaration of Covenants, Conditions and Restrictions for Sand Lake Point Unit I (“Declaration”) contains provisions regarding the obligations of Association members and residents and remedies at law or in equity; and

WHEREAS, Sand Lake Point Homeowners Association, Inc. (“Association”) wishes to create a fining and suspension policy that is consistent with the requirements of Florida Statutes and the Declaration; and

WHEREAS, the Board of Directors of the Association wishes to establish a Compliance Committee (“Compliance Committee aka Community Improvement Committee (CIC)”) to conduct hearings to review proposed fines and to issue suspension of use rights to the Common Areas and recreational facilities.

THEREFORE, IT IS RESOLVED that the Board of Directors of the Association hereby adopts the following rules and regulations:

**FINING AND SUSPENSION OF USE RIGHTS PROCEDURES
ADOPTED BY THE BOARD**

1. An Owner, and if applicable, any occupant, licensee, or invitee of the Owner, shall be given written notice of the violation and a reasonable opportunity to correct it. The written notice shall state that failure to remedy the violation could result in a fine or being issued against the Lot and/or a suspension of use rights to the Common Areas and recreational facilities. The letter shall be from the Association through the Board of Directors, its management agent, or the Association’s legal counsel.

2. If the Owner/resident fails to correct the violation, the Association through the Board of Directors, its management agent, or its legal counsel may issue a proposed fine against the Owner and/or recommend to suspend the use rights to the Common Areas and recreational facilities. The proposed fine shall be for a maximum of One Hundred Dollars (\$100.00) per violation per day for each continuing violation up to an aggregate of One Thousand Dollars (\$1000.00) per violation.

3. The Board, the management agent or the Association’s legal counsel must notify the Owner with written notice at least fourteen (14) days prior to the Compliance Committee hearing. The hearing must be held within ninety (90) days after issuance of the notice. The Compliance Committee may hold the hearing by telephone or other electronic means. The notice must include a description of the alleged violation, the specific action required to cure the violation, the hearing

date, and the location and access information if held by telephone or other electronic means. At the hearing, the Compliance Committee will determine whether the proposed fine will be imposed against the Lot and/or whether a suspension of use rights to the Common Areas and recreational facilities will be imposed. The proposed fine and/or suspension shall be identified in the letter.

4. To impose a fine and suspend use rights, the Compliance Committee must approve the fine and/or suspension by a majority vote at the hearing. The Compliance Committee may not increase or decrease the amount of the fine but must either approve or reject the fine in its entirety. The role of the Compliance Committee is limited to determining whether to approve or reject the fine and/or the suspension of use rights at the hearing.

5. The Compliance Committee must consist of at least three (3) members of the Association appointed by the Board 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.

6. At the hearing, the alleged violation shall be presented to the Compliance Committee. The Owner must be given an opportunity to appear and speak at the hearing. The Owner may be represented by counsel and may cross-examine witnesses at the hearing. The hearing and cross examination of witnesses may be conducted telephonically or other electronic means. The Compliance Committee in its sole discretion, shall then determine whether to impose the fine and/or suspend the use rights. Alternatively, the Compliance Committee may continue the matter if further investigation is required.

7. The Compliance Committee may suspend the use rights of an Owner, their tenants, guests or invitees to use the Common Areas and recreational facilities for failing to comply with any provision of the Association's governing documents, including its Declaration, Bylaws, Articles, or any Rules and Regulations.

8. After the hearing is adjourned, the Compliance Committee shall notify the Board in writing of its decision to either approve or reject the fine and/or suspend the use rights.

9. Within seven (7) days after the hearing, the Compliance Committee shall provide written notice to the Owner at his or her designated mailing or e-mail address in the Association's records, and if applicable, any occupant, licensee, or invitee of the Owner, of the Compliance Committee's findings related to the violation, including any applicable fines or suspensions that the Compliance Committee approved or rejected, and how the Owner or occupant, licensee, or invitee of the Owner may cure the violation, if applicable, or fulfill a suspension, or the date by which the fine must be paid.

10. If a violation has been cured before the hearing or in the manner specified in the written notice, a fine or suspension may not be imposed. If a violation is not cured and the proposed fine or suspension is approved by the Compliance Committee by a majority vote, the Compliance Committee must set a date by which the fine must be paid, which date must be at least thirty (30) days after delivery of the written notice required in Paragraph No. 9 above. Attorneys' fees and costs may not be awarded against the Owner based on actions taken by the Board before the date set for the fine to be paid. If a violation and the proposed fine or suspension is approved

by the Compliance Committee and the violation is not cured or the fine is not paid per the written notice in Paragraph No. 9 above, reasonable attorneys' fees and costs may be awarded to the Association.

11. Any fines imposed that remain unpaid for thirty (30) days after the due date and which total \$1,000.00 or more collectively may be converted into a special assessment through a separately noticed Board Meeting.

12. Regardless of any language in the Association's Governing Documents, the Association may not levy a fine or impose a suspension for the following: (1) leaving garbage receptacles at the curb at the end of the driveway within 24 hours before or after the designated garbage collection day or time; or (2) leaving holiday decorations or lights on a structure or other improvement on the Lot longer than indicated in the governing documents, unless such decorations or lights are left up for longer than one (1) week after the Association provides written notice of the violation to the Owner.

13. Fining shall not be the exclusive remedy of the Association. The Association may pursue additional relief against an Owner who fails to comply with the Declaration and/or Rules and Regulations of the Association and seek reasonable attorneys' fees against the Owner for any action in which the Association is the prevailing party.

This Board Resolution has been approved by a majority vote of the Board of Directors of Sand Lake Point Homeowners Association, Inc. at a properly noticed meeting of the Board of Directors held on the 17th day of February 2025. Said vote being 5 Directors in favor and 0 Directors against said action.

SAND LAKE POINT HOMEOWNERS ASSOCIATION, INC.

President Signature: 
Printed Name: Tim Hay
Date: 2/19/25

ATTEST:

Vice President Signature: 
Printed Name: Larry Schmidt
Date: 2/19/25