

Sea Colony

2 Sea Colony Drive
Palm Coast, FL 32137
386-445-5838

SEA COLONY HOMEOWNERS ASSOCIATION VIOLATION AND FINE PROCEDURE POLICY

In accordance with Florida Statutes, Chapter 720.305(2) and the Sea Colony Declaration of Covenants and Easements, Chapter X, section 34, the Board of Directors has adopted the following Violation and Fine Procedure Policy on July 7, 2016. It should be noted that enforcement actions are intended to achieve compliance with the Covenants and Easements, not to generate revenue or for punitive reasons. The goal is to make homeowners aware of ongoing problems that affect their neighbors and the overall quality of the neighborhood. The fining policy is to provide an incentive to homeowners to address problems that are not being corrected.

1) Procedure

a) First Violation Letter - The Board or its delegate, will send an initial violation letter by regular mail or e-mail to the owner's address of record. The first letter will explain the violation(s) and require that it be corrected or a plan for correction be submitted within the time frame prescribed. (i.e., fourteen (14) to twenty one (21) days). The notice will state that if the violation(s) are not corrected or a plan for correction submitted that the matter will be referred to the Board of Directors to begin the fining process as per the Violation and Fine Procedure Policy that was adopted on July 7, 2016.

b) Final Letter- When the Board of Directors, at a properly noticed meeting, votes to levy a fine for violation(s) against a homeowner that have not been abated or corrected, a final letter is sent to the homeowner. The final letter shall be sent regular mail and certified mail.

Once the board has levied the fine, the final letter will state the fine and the day, time and place that the hearing committee will hold a meeting. The hearing committee meeting will be held at a minimum of 14 days from the date of the final letter. This is the opportunity for the homeowner to appeal the Board's decision of the fine. At the hearing committee meeting , the homeowner is given the opportunity to produce evidence, statements and witnesses. The hearing committee will confirm or reject the fine.

Once the violation has been corrected, a final invoice will be mailed and payment will be due within ten (10) days.

A fine of \$ 1000 or more may become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the nonprevailing party as determined by the court.

All complaints from neighbors shall be submitted in writing to the HOA office. Anonymous complaints will not be addressed. The recipient of a 'concerned neighbor' violation will not know the source of the complaint.

GUIDELINES

VIOLATIONS & FINES

TYPES OF VIOLATIONS

LANDSCAPE: GRASS NEEDS CUTTING, NEW SOD, SHRUBS & TREES NEED TRIMMING, DEAD TREES, WEEDING ISSUES, ETC.

PROPERTY-OTHER THAN LANDSCAPING: SIDING ISSUES, DRIVEWAY ISSUES, MAIL BOXES, ROOFS, BROKEN WINDOWS, SCREENING, GATES; ETC.

COVENANTS/BYLAWS/RULES: PARKING OVERNIGHT, PARKING IN SWALES, NUISANCE ISSUES, PETS-CLEANUP & UNLEASHED, BOATS & TRAILER PARKING, POOL RULES, SAFETY ISSUES, ARC VIOLATIONS, ETC.

SUGGESTED FINES:

<u>VIOLATION</u>	<u>LANDSCAPE</u>	<u>PROPERTY</u>	<u>COVENANTS/BYLAWS/RULES</u>
FIRST OFFENSE	\$10/DAY - 15 DAYS	\$15/DAY - 15 DAYS	WARNING
IF CONTINUES	\$25/DAY- NEXT 15 DAYS	\$30/DAY-NEXT 15 DAYS	2 ND OFFENSE - \$25
	\$50/DAY- NEXT 15 DAYS	\$50/DAY- NEXT 15 DAYS	3 RD OFFENSE - \$50
	\$50/DAY- UNTIL CORRECTED	\$50/DAY-UNTIL CORRECTED	4 TH OFFENSE - \$100
			IF CONTINUES - \$100

IF SAME VIOLATION OCCURS WITHIN 90 DAYS ABOVE FINES WILL DOUBLE	\$20/DAY \$50/DAY \$100/DAY \$100/DAY	\$30/DAY \$60/DAY \$100/DAY \$100/DAY	NOT APPLICABLE
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