

The Masters at Pelican Sound Neighborhood Association, Inc Violation Policy

1. A "violation" refers to any action or condition within the community that violates any covenant, condition, restriction, rule, or policy contained within the Association's Declaration, Bylaws, Rules & Regulations, Architectural Standards or Board Policies (collectively, the "governing documents").

A copy of the governing documents can be found at www.franklycoastal.com and <https://masters33928.us/wp/>.

Violations may be identified by Masters ARC committee members, residents, or the Property Management firm as they do monthly inspections and must be reported to the Association's Property Management firm for action.

2. The Property Management firm will document in their system the violation as a violation ticket within 5 business days, with an initial Resolution Date. If the violation is not a safety issue, the Resolution Date is 14 days from the date of the initial violation letter. If there is a safety issue the Resolution Date is based on the circumstances of the case.

After receipt of the initial violation letter, the Owner (or Tenant, if applicable) must submit plans to rectify the violation to the Property Management firm within 14 days of the date of the violation letter. An alternative resolution date can be approved by the Board if a plan is submitted by the original Resolution Date.

3. The initial violation letter will always be sent to the Owner (and Tenant, if applicable), even in the when the violation has been verbally communicated, so that the record is clearly documented. In addition, the letter can be e-mailed to the Owner. The initial notification will document the violation, specifying the specific rule or governing document Article and Section that has been violated, include a picture of the violation (if applicable) and advising the owner how the violation may be corrected within a reasonable timeframe.

It is the responsibility of the Property Management firm to document and archive all actions regarding the violation.

4. If the violation has not been corrected or a proposal for making the correction has not been submitted to the Board by the Resolution Date, then within 2 days of the initial Resolution Date, the Property Manager will call the Owner. If the Property Manager is unable to contact the Owner, then a certified letter is to be sent to the Owner (and Tenant, if applicable), restating the violation, providing an updated Resolution Date, an additional 14 days from the date of the second violation letter. In addition, the letter will present the implications of not resolving this violation. Club privileges may be suspended or a fine may be levied and, as a last resort, the case may be referred to the Association's attorney to initiate a litigation process.

5. If the Owner corrects the violation, then the violation ticket will be updated with documentation of the resolution of the violation and the ticket shall be closed.

6. If the Owner fails to correct the violation or to propose an approved plan for doing so to the Board by the Resolution Date, the Owner will receive a letter via Certified mail indicating that a suspension of club privileges or a fine in the amount of \$100 per day per violation, with a maximum fine of \$1,000 per violation, is to be levied by the Board of Directors.

- The Owner will be advised that the case can be reviewed by a Compliance Committee; the Compliance Committee will consist of three owners who are not on the Board and are not related to a Board member. The Owner will be informed of the date, time, and location of the hearing. The Owner may attend the hearing in person or via electronic communication.
- At the Compliance Committee hearing, the Association and Owner will have an opportunity to present evidence regarding the violation and remediation efforts, if any. The Compliance Committee will review the material and ask any questions they may have to assist their review.
- The Compliance Committee shall then decide by majority vote to either confirm or reject the levied fine. The Board of Directors are bound by this decision.
- If the Committee confirms that a fine be imposed, the amount of the fine shall be placed on the Owner's account and shall be due within five (5) days after a notice is provided to the Owner, and if applicable, to any occupant, tenant, or other related party. If the fine is not paid within ninety (90) days, the matter shall be referred to the Association's attorney for collection. Fines of \$1,000 may be subject to lien and foreclosure as permitted under Florida Statutes §720.305.
- A member of the Board or the Property Management firm will inspect the premises daily to determine whether the violation has been remediated.
- The daily fine amount will accrue until the violation is remediated.

7. This violation policy supersedes any previous violation policy both past and present.

8. The above violation policy and timeframes are intended to be a guideline and all actions are subject to administrative and processing delays. However, any deviation from this policy shall not constitute a waiver of any rights or remedies of the association in having violations resolved.