

NORTH LAKE OF TARPON SPRINGS HOMEOWNERS ASSOCIATION, INC.

A RESOLUTION OF THE BOARD OF DIRECTORS  
FOR THE IMPOSITION OF FINES, SUSPENSIONS  
& COMPLIANCE ACTIONS

Whereas the Declaration of Covenants, Conditions, and Restrictions for North Lake of Tarpon Springs (the "Declaration") named North Lake of Tarpon Springs Homeowners Association, Inc., (hereinafter the "Association") at the entity responsible for the operation and management of the North Lake of Tarpon Springs and for the enforcement of rules and regulations on matters of common interest to its residents; and;

Whereas Section 720.305 of the Florida Statutes permits the imposition of fines for violations of the Declaration, Bylaws, and Rules and Regulations established and adopted by the Association from time to time (herein after "governing documents");

Whereas the Board of Directors ("the Board") wishes to adopt a policy regarding the procedures to be followed with regard to the imposition of fines, suspension and compliance actions; and

NOW, THEREFORE, the Board hereby resolves as follows:

1. Pursuant to Section 720.305(2) of the Florida Statutes and Article X of the Association's Declaration of Covenants, Conditions and Restrictions, the Association by this action formally memorializes its decision to impose fines for any violation of the Association's governing documents, in the amount of \$100 per occurrence and \$100.00 per day for continuing violations. Fines may exceed the maximum of \$1,000.00 in the aggregate for any continuing violation.
2. The Board of Directors shall appoint a Compliance Review Committee ("CRC"), which shall consist entirely of at least three (3) owners other than officers, directors or employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee, of the Association.
3. The Board or its appointed agent(s) are charged with determining whether there is probable cause that any of the provisions of the governing documents of the Association are being or have been violated.
4. In the event that a complaint is received by the Association, or a violation is otherwise determined to have occurred, the Association's management will send at least one initial notice of violation to the alleged violator(s). This notice will provide the alleged violator(s) an opportunity to cure the violation(s) within a reasonable period of time deemed appropriate for the violation(s) at issue. The letter shall state that if the violator(s) believes that s/he/they will not be able to cure the violation within the time set forth in the letter, that the violator(s) must contact management and propose a plan of action for the curing the violation within a specific timeframe that the violator(s) believe is needed. The letter must also state if the violation(s) is/are not corrected within the time set forth in the letter or a plan of action is not proposed and accepted by the Board that: (1) the Board may levy a fine and set forth the amount of the possible fine, (2) that the Board may suspend the owner(s)/violation(s) use rights, and (3) that the Board may refer the matter to the Association's attorney for legal action, including but not limited to presuit mediation. Notwithstanding the foregoing, in the event that a violator commits the same violation which was the subject of the notice provided in this paragraph within six (6) months from the date of the initial notice, no additional notice provided for in this paragraph shall be required and in such an event the matter shall proceed to paragraph 5.
5. Should the alleged violator(s) fail to correct the violation(s) after at least one prior notice has been sent as provided for in Paragraph 4 above, the Board shall hold a meeting, either a special meeting or as part of its regular Board meetings, to levy the fine described in the notice sent pursuant to Paragraph 4 above, to suspend the owner(s)/violation(s) use rights and/or refer the matter to the Association's attorney for further

action deemed appropriate by the Association's attorney.

6. Upon levying a fine and/or suspending use rights pursuant to Paragraph 4 above, the Board or its agents will notify the alleged violator(s) of the violation, by regular and certified mail, which notice shall include the following:

- A. A short and plain statement of the violation(s) asserted by the Association;
- B. A statement of the provisions of the governing documents which have been violated;
- C. That the Board has levied a fine and/or suspend use rights as described in Paragraph 4 above; and,
- D. That a hearing before the CRC will take place in accordance with Paragraph 8 herein no sooner than 14 days from the date of the notice in order for the impartial committee to consider whether to impose the fine and/or suspension levied by the Board. The notice must set the actual date/time/location of the hearing.


7. CRC Hearing Procedures:

- A. No further notice of the Committee meeting shall be required, nor shall the meeting be subject to the open meeting requirements of Section 720.303(2) of the Florida Statutes.
- B. The CRC may either confirm or reject the fine and/or suspension levied by the Board at the conclusion of the hearing.
- C. The hearing will be conducted as soon as reasonably possible, but in no event later than sixty (60) days from the date of the notice described in Paragraph 6.
- D. Both the accusing person and the alleged violator have the right to attend the hearing. However, neither party must be in attendance at the hearing.
- E. At the conclusion of the hearing, the CRC shall render a decision on the matter, and will prepare a written summary of the decision to the Board of Directors.
- F. If the CRC approves imposing the fine levied by the Board, the Association shall either mail or hand deliver to the violator(s) written notice that the fine was imposed and notify the violator(s) that payment is due five (5) days after this written notice is provided to the violator(s).

8. Violator(s) will be responsible for costs, and attorneys' fees incurred in the collection of any fine and/or enforcement of any suspension imposed pursuant to this Resolution.

9. This Resolution shall hereby supersede any and all previously adopted policies, procedures, and/or resolutions relating to the imposition of fines by the Association.

IN WITNESS WHEREOF, the Board of Directors has adopted this resolution at a duly called, noticed and convened meeting held this 14 day of March, 2022, and shall become effective immediately.



(Signature of Witness #1)

NORTH LAKE OF TARPON SPRINGS  
HOMEOWNERS ASSOCIATION, INC.

Marianne E Casp  
(Printed Name of Witness #1)

Stewart Montgomery  
(Signature of Witness #2)

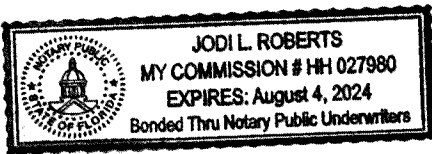
Stewart Montgomery  
(Printed Name of Witness #2)

By: Richard R. Noft  
(Signature)

Richard R. Noft, President  
(Printed Name and Title)

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14 day of March, 2022, by Richard Noft as President of North Lake of Tarpon Springs Homeowners Association, Inc., on behalf of the corporation, and ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.



Jodi L. Roberts  
NOTARY PUBLIC - State of Florida  
My Commission Expires: August 4, 2024