

Rule XX Obligations of Members-BOD approved update on May 25, 2021 which supersedes previous versions.

It is the duty of each of the members of the HOA below to stay current on their HOA maintenance fees; To abide by Chapter 720 of the Florida Statute; governing documents of the community; and rules of the association; and **To resolve violations within the specific timelines in the violation notice.**

1. Actions at law or in equity, or both, to redress alleged failure or refusal to comply with these provisions may be brought by the association or by any member against:
 - (a) The association;
 - (b) A member;
 - (c) Any director or officer of an association who willfully and knowingly fails to comply with these provisions; and
 - (d) Any tenants, guests, or invitees occupying a parcel or using the common areas.
 - a. HOA maintenance fees
 - i. Interest fees and late charges will be assessed on all maintenance fees that are over 10 days past due.
 - ii. If a member is more than 90 days delinquent in paying any fee, fine, or other monetary obligation due to the association, the association may suspend the rights of the member, or the member's tenant, guest, or invitee, to use common areas and facilities until the fee, fine, or other monetary obligation is paid in full. This includes deactivation of the key fobs and vehicle bar codes.
 - iii. An association may suspend the voting rights of a parcel or member for the nonpayment of any fee, fine, or other monetary obligation due to the association that is more than 90 days delinquent.
 - b. Member violation notices
 - i. The Board may send a letter to a violating member giving the member a specific amount of time to cure the violation.
 - ii. Should the member fail to timely cure the violation, the Board may then move forward with statutory pre-suit mediation and/or litigation against the violating member.
 - iii. Upon the Association prevailing in such lawsuit, the violating member shall be responsible for the attorneys' fees and costs incurred by the Association.
 - c. Fining
 - i. Pursuant to Florida Statute, the Board may move forward with fining against any member in violation of the Association's governing documents or Rules & Regulations. The violating member will receive at least a 14-day notice of the fine or fines, and/or suspension of the common area key fobs and bar code access, to be imposed along with an opportunity to appear before the associations Tribunal committee.
 - ii. If the member has not resolved the violation or received an approved extension (with sufficient evidence as to why an extension is being requested) by the President and at least one additional member of the board or the Tribunal committee. The resident may be fined \$100 per day up to a \$1000 dollars per violation until the violation has been resolved. If the violation is not resolved, further legal action may be sought.
 - iii. If the proposed fine or suspension levied by the Board is approved by the Tribunal committee, the fine payment is due 5 days after the date of the Tribunal committee meeting.