

THE HAMPTONS OF SARASOTA COMMUNITY ASSOCIATION, INC.

Resolution of the Board of Directors

COVENANT ENFORCEMENT RESOLUTION

RECITALS

- A. The Hamptons of Sarasota Community Association, Inc. (hereinafter "Association") was formed pursuant to the governing documents recorded in the public records of Sarasota County, Florida.
- B. From time to time the Board of Directors (hereinafter "Board") becomes aware of alleged nuisances; improper, offensive, or unlawful activities or use of the premises; or other alleged violations of the Declaration of Restrictions and Covenants for The Hamptons, Bylaws, or Rules and Regulations, (hereinafter "Covenants").
- C. Section 720.305, Florida Statutes, and Section 18.6 of the Declaration of Restrictions and Covenants for the Hamptons Community, which provide that a homeowner association may levy a fine against a member for violations of the Declaration, Bylaws, or rules and regulations.
- D. A fine may not exceed \$100.00 per violation, provided that fine may be levied on a per-diem basis for a continuing violation, and may not exceed \$1,000.00 in aggregate for each type of violation.
- E. For the benefit and protection of the Association and of the individual owners, the Board deems it necessary and desirable to establish a formal procedure for the handling of complaints, violations, and the enforcement of the Covenants to ensure that owners receive notice and an opportunity to be heard in cases involving alleged violations of the Covenants.
- F. The Board deems it necessary and desirable to adopt the following Resolution to be used by the Association in imposing sanctions for violations of the Covenants.

RESOLUTION

NOW, THEREFORE, IT IS RESOLVED that:

- I. All prior Enforcement Resolutions or Financial Penalties Resolutions if any are rescinded and are no longer of any force.
- II. The procedure set forth below shall now be the process for handling the enforcement of violations of the Covenants, provided however, minor deviations shall not bar enforcement as may otherwise be permitted under the law or governing documents.

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ARTICLE 1

VIOLATIONS

- 1.1. **Inspection.** The Property Manager will monitor the community and record violations they observe.
- 1.2. **Violation Notice.** The Property Manager shall send the corresponding owner or tenant, by regular mail, a notice. This notice shall include a description of the violation, specifying the provision(s) being violated, and provide a period of time to cure the violation.
- 1.3. **Time To Cure.**
 - a. For exterior painting, notice date plus 45 days
 - b. For house, roof, driveway, sidewalk and mailbox cleaning plus yard light maintenance, notice date plus 30 days
 - c. For all other violations, notice date plus 7 days

ARTICLE 2

FINING

- 2.1 **Setting the Fine.** At a regularly scheduled Board meeting, the Property Manager will present all violations that have exceeded their time to cure. The Board will determine what action is to be taken and, if appropriate, set a fine amount.
- 2.2 **Fine Notice.** For each fine set by the Board, the Property Manager shall, by regular first class postage, inform the home owner of the fine. The notice will also inform the homeowner they have 20 days to comply before a Covenants Enforcement Hearing Committee meeting will take place to determine if the fine should be assessed. The homeowner will be given the contact information to notify the Committee if they wish to attend the meeting.

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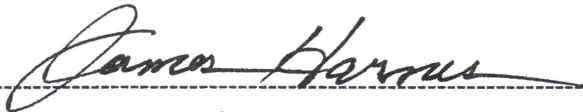
COVENANT ENFORCEMENT RESOLUTION

ARTICLE 3

HEARING PROCEDURE

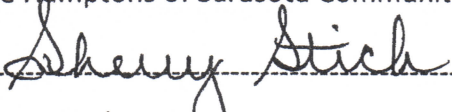
- 3.1 **Covenants Enforcement Hearing Committee.** The committee shall consist of at least (3) members appointed by the Board who are not officers, directors or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director or employee. A Committee Member may not reside in the household of a Board member.
- 3.2 **Hearing Date.** If the homeowner requests a hearing a mutually agreeable meeting date will be set. Otherwise, the committee will meet, after the 20 day period specified in the Final Notice, to determine if the fine is to be assessed.
- 3.3 **Hearing Notice.** At least 48 hours prior to the meeting, a notice of the meeting must be posted at the community pool. The meeting is open to owner observation and comments.
- 3.4 **Hearing.**
1. A minimum of 3 Committee members must be present at the hearing.
 2. If a fine has been levied and approved by the Committee, pursuant to Section 720.305(2)(b), Florida Statutes, the fine shall be due five (5) days after the date of the Committee meeting at which the fine was imposed. Notice of the levy and due date of the fine shall be reduced to writing and delivered to the owners of record.
 3. If the Association is required to take the owner to court to recover a fine, the Association is also entitled to recover the attorney's fees that it incurs in collecting the fine. Although the amount of attorney's fees may often exceed the amount of the fine, the court is obligated by law to award a reasonable attorney's fee to the prevailing party.

DATED: 27 APR 2021



James Harnes as President

The Hamptons of Sarasota Community Association, Inc.



Sherry Stich as Secretary

The Hamptons of Sarasota Community Association, Inc.