

GREEN CAY VILLAGE TOWN HOME ASSOCIATION FINE PROCESS

Reference: Town Home Association Bylaws Article V Section 15.0 and Florida Statute 720.305 as amended 7/1/2015.

1. The Board of Directors shall have the power to impose reasonable fines for a violation of any duty imposed under the Declaration, Bylaws, or any rules and regulations duly adopted. In the event that a fine is imposed, the fine shall first be assessed against the occupant; provided, however, if the fine is not paid by the occupant within the time period set by the Board of Directors, the fine shall be assessed against the Owner of the Lot in which the occupant resides, and the Owner shall pay the fine upon notice from the Association..

2. Notification of the imposition of a fine shall be by a written Notice of Fine, signed by an officer of the Association, to the occupant with a copy to the Owner and such notice shall include the following.

- a. The amount of the fine, which may be any amount up to the statutory limit of \$100 per violation or \$1,000 in the aggregate for a continuing violation.
- b. The violation for which the fine is being imposed including the who, what, when, and where of the violation.
- c. The provisions of the Declaration, Association By-Laws, or Association Rules and Regulations which have been violated.
- d. The following statement that the occupant has an opportunity for a hearing to contest the fine.

YOU HAVE THE RIGHT TO A HEARING BEFORE THE UNIT OWNER COMMITTEE TO CONTEST THIS FINE. TO EXERCISE THIS RIGHT YOU MUST DELIVER A WRITTEN REQUEST FOR A HEARING TO THE ASSOCIATION WITHIN FOURTEEN (14) DAYS OF RECEIPT OF THIS NOTICE OF FINE.

3. If the occupant timely and properly requests a hearing, a committee of Owners ("Unit Owner Committee") shall conduct a hearing within thirty (30) days after receipt of the occupant's request for a hearing, and shall give the occupant not less than fourteen (14) days written notice of the hearing date. Such written notice to the occupant, with a copy to the Owner, shall include the date, time and place of the hearing plus a repeat of items 2a. through 2c. included in the original Notice of Fine.

At the hearing, the Unit Owner Committee shall conduct a reasonable inquiry to determine whether the alleged violation in fact occurred and confirm or reject the fine as levied.

And the occupant shall have the right to respond to any material considered by the Association and the right to produce evidence on his/her behalf and to provide written and oral arguments on

all issues involved and shall have an opportunity to review, challenge and respond to any material considered by the Association and to challenge the amount of the fine.

If the occupant fails to attend the hearing, then the hearing shall be deemed waived and the Unit Owner Committee shall ratify the fine without further proceedings.

4. Fines shall be due and payable within fourteen (14) days after written notice of the imposition of the fine, or if a hearing is timely and properly requested, within fourteen (14) days after written notice of the Unit Owner Committee's decision at the hearing.

5. The occupant shall have the right to appeal the decision of the committee to the Board of Directors. To perfect this right, a written notice of appeal must be received by the manager, President, or Secretary of the Association within thirty (30) days after the hearing date.

By order of the Green Cay Village Town Home Association Board of Directors July 1st, 2015