

PALOMA LAKES COMMUNITY ASSOCIATION, INC.
VIOLATION POLICY

The following will be the Paloma Lakes Community Association Violation Policy. This policy has been written within the guidelines of the Declaration for Paloma Lakes (hereafter "Declaration") and the laws in the State of Florida, which may be amended from time to time. This policy will be enforced for the purpose of protecting the integrity, value and desirability of the lots, lot owners and any and all parties having the right, title or interest in such lots in the subdivision of Paloma Lakes. This Violation Policy is enforced effective July 29, 2015.

Any party having any right, title or interest in the subdivision of Paloma Lakes (hereafter "homeowner") is required by the laws of the State of Florida to abide by the registered in the State of Florida, County of Broward. If at any time any of the aforesaid parties is in violation of the Declaration, the following procedures will go into effect:

STEP 1 – The homeowner in violation will receive written notice of the violation with a specified period of time to comply. If homeowner is unable to cure the violation within the specified time period, he/she is required to respond in writing within that specified time period to the Management Company to either work out a resolution or request a hearing. If the managing parties have not received a response from the homeowner, or have not been able to come to a resolution within the specified time period, a fine will be instituted and Step 2 goes into effect.

STEP 2 - The Board of Directors has appointed an adjudicatory panel, Violations Committee, who will set a hearing. The adjudicatory panel will determine if the lot owner is in violation of the Declaration. If it is found that the lot owner is in violation of the Declaration, then the adjudicatory panel will determine if the lot owner should remain fined and/or if planned community privileges and services should be suspended pursuant to the powers granted to the association in F.S. 720.305 and section 19.6.2 of the Declaration. If the Board of Directors fails to appoint an adjudicatory panel, hearings will be held before the Board of Directors. The lot owner charged shall be given written notice of the charge and the hearing date and time with said notice being mailed at least 15 days prior to the hearing. At that hearing, the homeowner will be given the opportunity to be heard and present evidence. Written notice of the final decision of the panel will be mailed to the homeowner. A grace period of 14 days from the mailing of this letter will be given before the actual imposition of the fine and or suspension to give the homeowner the opportunity to cure the violation. If it is decided that a fine should be imposed, a reasonable fine, up to \$100.00 per day may be imposed for the violation without further hearing. If it is decided a suspension from planned community privileges or services should be imposed, it may take place without further hearing until the violation or delinquency is cured.

STEP 3 – If homeowner remains in violation after Steps 1 and 2, no resolution has been made between homeowner, Management Company and/ or Board of Directors of the Association, the matter will be turned over to the attorney to resolve or begin possible legal action. While Step 3 takes place the homeowner will continue to be charged the daily fines imposed from Step 2. Once the case has been turned over to attorney, the homeowner in violation will be responsible for all reasonable attorneys' fees as is allowed in FS 720 and the Declaration for Paloma Lakes in addition to all previous assessments, interest, costs or fines incurred.

PALOMA LAKES COMMUNITY ASSOCIATION, INC.
VIOLATION POLICY DETAILED GUIDELINES

NOW THEREFORE, IT IS RESOLVED that the following procedures and practices are established for the enforcement of violations of the use restrictions, architectural, design and maintenance standards of the Declaration, By-Laws and Rules for Paloma Lakes and for the elimination of violations of Paloma Lakes, and known as the "Violation Policy":

Establishment of a Violation:

- a) Architectural: Any improvement of any kind shall be erected, constructed, placed or maintained on any parcel which has not been first approved in writing by the governing Architectural Control Committee ("ACC") or which does not in all respects conform to what has been approved is deemed a "Violation" under this Enforcement Policy for all purposes.
- b) Use Restrictions: Any activity or condition allowed continuing on any that is in direct opposition to the Declaration, which is not expressly authorized, by the Board or ACC is deemed a "Violation" under this enforcement policy for all said purposes.
- c) "Member": is considered the Owner of Record or Lot Owner. (On occasions when a renter occupies the premises, a copy of said violation will also be sent to their attention.)

1. Notice of First Violation.

- a) Initial Notice. Upon verification of the existence of a Violation staff will send to the member a written notice of the violation and allotted time periods associated with such violation. This first written notice will inform the recipient as follows:

Violation Enforcement Policy:

- i. The nature description and location of the Violation; and
- ii. A request to remedy the Violation; and
- iii. If the Member has any question for clarification of the Violation to please contact the sender; and
- iv. Give owners the option to contest the violation by setting forth his/her/their position within the specified number of days; and
- v. If the owner replies by Certified Mail within the 14 calendar day period, then the following will apply:

After the First Violation notice is sent to the Member, they will have the opportunity to submit a response within 14 calendar days by certified mail to the Association regarding the alleged violation. After a proper response, the

Association will reply again providing details about the Violation, including the provision of the community documents being violated, the date of the alleged violation and the process the owner must follow to contest the violation. The Association has 14 days to provide the required information and no further enforcement action can be taken during this period.

- b) Final Notice: If the Member fails to remedy the cited Violation after the first letter within a period of 21 days, a Final Written Notice will be sent as stated herein.

2. Final Notice of Violation.

When it has been determined that the 21 days allowed has failed to correct the Violation, Staff will send a final written notice to the Member informing the recipient as follows:

- i. The nature and description of the Violation and the failure of the Member to correct the Violation, as requested; and
- ii. Notice that the Violation has caused a Fine to be assigned to the Member's account and that all related costs plus the Fine will be subject to any and all available collections efforts beginning no earlier than 21 days from the post mark of this notice; and
- iii. Rules shall be outlined as follows, but not limited to and always check the Declaration. The Board reserves the right to make additional rules and through the policy and guidelines may have done so; Fines are as follows:

* First Infraction \$25 * Second Infraction \$50 * Third Infraction \$75 * Fourth Infraction and each additional infraction in any 12-month period \$100

Animals: You must pick up after your pet – Pet stations are provided your everyone's benefit

* First Infraction \$50 * Second Infraction and each additional infraction in any 12-month period \$100

Landscaping: * First Infraction \$25 * Second Infraction \$50 * Third Infraction \$75 * Fourth Infraction and each additional infraction in any 12-month period \$100

Trash and/ or Improper Disposal: Do not leave your cans out prior to or past the allotted time – Can may be removed until such time they are claimed and the fine paid * First Infraction \$25 * Second Infraction \$50 * Third Infraction \$75 * Fourth Infraction and each additional infraction in any 12-month period \$100

Signs: * First Infraction \$25 * Second Infraction \$50 * Third Infraction \$75 * Fourth Infraction and each additional infraction in any 12-month period \$100

Architectural Review (no consent): * This includes incorrect work. * First Infraction \$50 * Second Infraction and each additional infraction in any 12-month period \$100

All other violations: * First Infraction \$25 * Second Infraction \$50 * Third Infraction \$75 * Fourth Infraction and each additional infraction in any 12-month period \$100

Parking: The Association has hired a parking enforcement company who randomly patrols the community at night. Your vehicle may be towed provided by this notice only. Per the Association documents no commercial vehicles, parking in more than 1 space, out of date tags and parking in front of a garage. This is outlined in detail in your Declaration and highly advisable you read this section to insure compliance. The Association will not be responsible for vehicles towed per the Declaration.

- iv. Member shall have the opportunity to request and be granted a hearing to appeal said Violation; and
- v. The request for hearing must be in writing and delivered to and delivered to the Paloma Lakes Office within 14 calendar days from the date of the Assignment of the Fine Notice; and
- vi. If the Member has any question for clarification of the Violation, to contact the sender; and
- vii. Failure to pay by the Member to contact the BTPOA Office, in writing, within the 14 calendar day period shall be a waiver of the opportunity for said hearing.

Conclusion:

Notwithstanding the above, The Board may at any time during the enforcement process determine it to be in the best interest of the Association to end the Violation fine process and refer the matter to Legal Counsel to pursue the Associations remedies, which may include injunctive relief to correct or otherwise abate the Violation.

- a. A Member may correct or eliminate a Violation at any time during the pendency of any procedure stated herein whereupon;
- b. When verified by Staff or Board Members that the Violation has been corrected, the Notice of Violation will be voided but remain a matter of record; and
- c. The Member will remain liable for all costs and Fines and subject to the collection efforts as subscribed by state law.

Repeat Violations:

If a violation of the same nature is repeated within any one (1) year period after the last violation letter was sent, the violation letter process will continue uninterrupted. If a violation of the same nature reoccurs one (1) year or more after the last violation letter was sent, the violation will be considered new and the process starts from the beginning, or the first letter.