

ROSE BAY HOMEOWNERS ASSOCIATION, INC

Important Notice to All Homeowners

Effective July 9, 2007

The Rose Bay HOA By Laws document Article IV, Page 5, Number 19 gives the Board of Directors (The Board) the power to levy fines for breach of rules and regulations. We have a number of homeowners who continue to break the same rules over and over, ignore The Boards letters and have and or little regard for how their property looks.

At the July 7th board meeting, The Board voted to start levying fines immediately for landscaping and home maintenance violations that are not corrected in the allotted time given to the homeowner. The Board will follow the fining procedure set forth in the Florida Statutes 720.305

How fining will work:

When a homeowner is in violation of the Rose Bay rules and regulations:

- 1. A letter will be sent to the homeowner defining the violation, how to correct the violation and a date the violation must be corrected by. Any friendly reminder notes left at the door will not incur any fines but could lead to a fine. Homeowners who rent their property will be responsible to pay any fines against their property by their renters and must take responsibility for the actions of their renters.**
- 2. If the violation is not fully corrected by the date given in the violation letter a fine will be levied against the homeowner not to exceed \$100 for a single violation and not to exceed \$1000 in aggregate per homeowner.**
- 3. A fining committee will be setup with three Rose Bay homeowners who are not board members, employees or related to any board member or employee of Rose Bay. The homeowner who received the fine can request in writing to appeal the fine before the fining committee who will determine if the fine The Board set is warranted for the violation. The committee will have the final word if a fine is warranted or not.**
- 4. If the fining committee determines that the fine by The Board is just, the fine is due immediately. If the fine is levied as a per diem fine is due the day the violation is corrected or the \$100 limit is reached. The HOA will take the homeowner to court to collect the fine and all entitled legal and court cost to collect the fine and or to get the violation corrected through litigation. A lien cannot be placed on a home for a fine.**

Any Rose Bay homeowner who would like to serve on the fining committee may contact the property manager before July 15th. If no volunteer come forth, The Board will appoint the three committee members.