



Bay Pines Homeowners Association (HOA)
Board of Directors
Policy Resolution for the Policies and Procedures
of the Rules Enforcement Committee

WHEREAS, Article III, Section 1 of the CC&Rs gives the Board of Directors the powers and duties to conduct the affairs of the Association and to make such rules and regulations as the Board deems is in the best interests of the Association; and

WHEREAS, for the health, safety, welfare, and comfort and convenience of all residents, the Board wishes to establish rules enforcement policies and procedures so that it may fairly and consistently enforce the governing documents.

NOW, THEREFORE BE IT RESOLVED the following REC Policies and Procedures are incorporated into the Bay Pines HOA, effective **14 June 2017**, as adopted by the Board on 13 June 2017.

Rules Enforcement Policies and Procedures are as follows:

1. The Rules Enforcement Committee ("REC") shall inspect the neighborhood on the designated date and generate an inspection report.
2. In so conducting the inspection, the REC shall review member-reported violations. The REC shall generate a Courtesy Notice for any member in violation of any rule. The Courtesy notice shall contain the following:
 - a. An identification of the property;
 - b. An identification of the date of the inspection and rule violation;
 - c. A specific identification of the violated rule;
 - d. A description of the violation on the property in question;
 - e. An invitation for collaboration and discussion with the REC;
 - f. An instruction for the member to respond in writing to the REC within five (5) days from the date of the notice as to the plan the member intends to take to resolve the rule violation.
3. In order to avoid needless contention, all formal responses to the Courtesy Notice must be in writing.
4. The REC shall monitor the member's progress as to the member's steps taken in achieving ultimate compliance.
5. Any member subject to a Courtesy Notice shall remain in communication with the REC throughout the time-period in which it takes that member to achieve compliance.
6. A member in receipt of a Courtesy Notice that fails to respond within five (5) days, may be contacted by the REC for follow-up or may receive a Pre-Fining Notice upon recommendation of the REC to and in resolution by the Board, in lieu of additional communication.
7. Included in its power to advance a violation to a Pre-Fining Notice, the Board of Directors may seek legal counsel to generate and mail (postage-paid) a Pre-Fining Notice to a member in violation.
8. The Pre-Fining Notice shall contain the following:
 - a. An identification of the property;
 - b. An identification of the date of the inspection and rule violation;
 - c. A specific identification of the violated rule;
 - d. A description of the violation on the property in question;
 - e. An identification of the date of the Courtesy Notice with a copy of the Courtesy Notice enclosed therein;
 - f. A description of communications between the REC and the member in violation, including attempts by the REC to communicate with the member;

- g. An identification of the lapsed deadline to respond to the Pre-Fining Notice, or, in the event that the Courtesy Notice was responded to yet the property in question remains out of compliance, then a description of all relevant information relating to the compliance plan and the time period that has passed since the initial Courtesy Notice;
 - h. An explanation of the remedies permitted by Florida law;
 - i. An identification of the legal documents which govern the Bay Pines Homeowners Association;
 - j. A deadline for the member to respond to the REC as to the actions that member intends to take to resolve the rule violation.
9. All responses to the Pre-Fining Notice shall be in writing and shall identify a specific calendar date upon which the member shall be in compliance with the rules.
10. The REC shall review the member's proposed compliance date and recommend to the Board whether it shall accept or deny it. The Board may reject any unreasonable compliance dates. In the event that any compliance date is deemed as unreasonable by the Board, the REC and the member shall meet and confer in good faith and attempt to come to an agreed date of compliance.
11. The REC shall report all responses to the Pre-Fining Notice to the Board of Directors, update the Board as to a member's progress in satisfying a compliance plan within that member's proposed date of compliance, report to the board whether a member complies within that member's proposed date, and report any member that fail to respond by the deadline within the Pre-Fining Notice.
12. In the event that a member fails to comply with and/or respond to the Pre-Fining Notice, or in the event that a member fails to render his/her proper in compliance by the date stated in the member's response to the Pre-Fining Notice, the Board of Directors may issue a Fines Notice and make a recommendation to the Fines Committee to review and to approve the submission of a Fines Notice to a member.
13. The Fines Notice shall contain the following:
- a. All information required in the Pre-Fining Notice, *supra*, with the exception of item J;
 - b. An identification of the amount of the fine;
 - c. the due date for the fine;
 - d. A description of all foregoing communications relating to the violation at issue and attempts to foster a resolution to the rule violation to date;
 - e. A description of the appeals process for a member to request a hearing before the Fines Committee, which must be requested by the member within fourteen (14) days from the date of the Fines Notice;
 - f. an explanation of the remedies permitted by Florida law; and
 - g. an identification of the legal documents which govern the Bay Pines Homeowners Association.

By: _____

Ralph D. Linton, Secretary, Bay Pines HOA

Date: _____

13 June 2017.