

Lake Thomas Woods 8th Addition Homeowners Association
P.O. Box 400, Eagle Lake, FL 33839
www.ltw8ha.org

Rules of Enforcement Procedure

WHEREAS, the Covenants and Restrictions (C&Rs) of Lake Thomas Woods 8th Addition Homeowners Association, (LTW8HA) and the Florida State statutes, Chapter 720 charge the Board of Directors with the powers and duties to ensure that the residents who enjoy the privilege of membership in the Lake Thomas Woods 8th Addition Homeowners Association, also accept the responsibility of not infringing on their neighbor's right of peaceful enjoyment, safety, and sustained property value.

NOW THEREFORE, BE IT RESOLVED, the Lake Thomas Woods 8th Addition Homeowners Association Board of Directors has adopted the following procedure for the Board or any resident to report a violation by another resident:

1. In order to begin the rules of enforcement process, the resident must state **in writing** any rule violation he or she is reporting.
2. If the violation is being reported by another resident, a written report must be sent to the LTW8HA Board of Directors at the above address.
3. The resident making the complaint must date, sign (email acceptable) and include their address and phone number in the report.
4. The resident making the complaint must include as much information regarding the violation as possible. Information, which will assist the Board of Directors to see compliance, should include physical address where the violation has occurred and the dates and times of the infraction(s). If the complaint is about parking, all vehicle information is required- the make, model, color, license plate, state of registration, etc.
5. The individual making the complaint may be called to testify at the hearing if resident requests a hearing.
6. Upon receipt of the above information, the "***Violation Progression Schedule***" will commence as stipulated on page 2 of this document.
7. The privacy of residents who report the violation will be kept confidential *unless* the owner requests a hearing and/or their legal counsel requests the information.
8. If the violation continues or new violations occur, residents should continue to notify the LTW8HA Board of Directors in writing for assessment of further actions.
9. In the case of non-owner occupied properties, the resident and the owner of the property will receive copies of the *Notice of Violation* notices.

The Board of Directors encourages communication as a vehicle to promote harmony between neighbors in Lake Thomas Woods 8th Addition. In any matter that causes conflict between neighbors, the Board encourages residents to speak with their neighbors first before submitting a written complaint. Many times neighbors do not realize that they are violating provisions of the C&Rs and Bylaws. The Board also encourages residents who have been contacted by their neighbor concerning a violation not to take the suggestion as a personal attack, but rather respond respectfully and civilly. We all would like to maintain and increase the value of our property and live peacefully in a neighborhood that is in compliance with state, county, and LTW8HA C&Rs and Bylaws.

Violation Progression Schedule

WHEREAS, Article III, Section 1 of the C&Rs of the Association empower the Board of Directors to enforce all restrictions, conditions, covenants, reservations, liens and charges imposed.

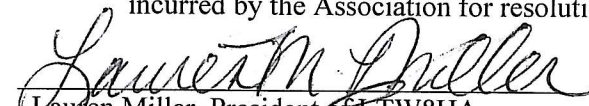

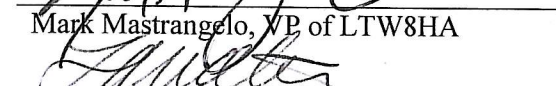
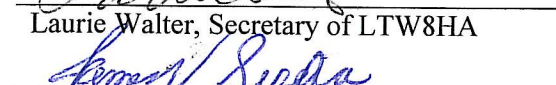
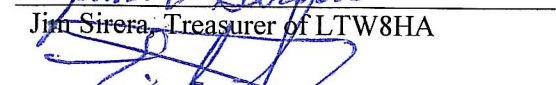
WHEREAS, it is the intention of the Board of Directors to fulfill their fiduciary responsibility, the Board of Directors, using the business judgment rule, hereby adopt a Violation Progression Schedule for the violation of the governing documents.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors has adopted the following procedure to address Covenant and Restriction Violations.

- 1) Upon receipt of the violation information, a “*Friendly Notice to Correct Condition*” letter will be mailed to the owner/renter outlining the violation and requesting the condition be corrected within seven (7) days of the date of the letter.

In accordance with Florida Statue, Chapter 720 and Federal Law, the Board of Directors will offer the owner the opportunity for a Hearing. If LTW8HA Board of Directors receives a written request for a Hearing from the owner within ten (10) days of receipt of the notice to correct the condition, no further action will take place until a Hearing has been offered to the owner. Hearings will be scheduled with an attempt to accommodate all parties to be attending. Hearings may be rescheduled only once. If an owner fails to appear on the date committed to by the owner, the Board may Violation Progression Schedule process immediately if the violation remains uncorrected.

- 2) Should the violation not be corrected within seven (7) days of the date of the “*Friendly Notice to Correct Condition*” letter, a second letter “*Formal Notice of Violation*” will be sent to the owner/renter via Certified mail.
- 3) Should the violation not be corrected within seven (7) days of the “*Formal Notice of Violation*”, a third letter “*Final Formal Notice of Violation*” will be sent to the owner/renter via Certified mail.
- 4) Should the violation not be corrected within seven (7) days of the third and final letter “*Final Formal Notice of Violation*”, the owner’s account will be turned over to legal counsel for resolution and/or a lien maybe be filed against the property in question. The owner will be responsible for all legal expense incurred by the Association for resolution of the violation.

 _____ Lauren Miller, President of LTW8HA	<u>2/24/11</u> Date
 _____ Mark Mastrangelo, VP of LTW8HA	<u>2/24/11</u> Date
 _____ Laurie Walter, Secretary of LTW8HA	<u>2/24/11</u> Date
 _____ Jim Sirera, Treasurer of LTW8HA	<u>2/24/11</u> Date
 _____ Eric Smith, Board Member of LTW8HA	<u>2/24/11</u> Date