

BEL MARE CONDOMINIUM ASSOCIATION, INC.
GOVERNING DOCUMENTS VIOLATION
AND FINE ENFORCEMENT POLICY

The Bel Mare Condominium Association, Inc. (the "Association") intends to rigorously, fairly and impartially enforce all provisions of the Declaration of Condominium, Bylaws, Rules and Regulations, and Policies of the Association (collectively the "Governing Documents"). The Property Manager, Board of Directors, Legal Counsel when necessary, and a Fining Committee will administer the enforcement procedures.

ESTABLISHMENT OF VIOLATION

Any failure of the Unit Owner or its occupant, licensee, or invitee to comply with the Governing Documents shall constitute a violation ("Violation").

TO LEVY FINES

The Board of Directors may impose fines not to exceed the maximum permissible by law to a Unit Owner, or a Unit Owner's Tenant, Guest, or Invitee for failure to comply with any provision of the Governing Documents and applicable laws. A fine may not be imposed unless at least 14 days' written notice to the Unit Owner and, if applicable, any occupant, licensee, or invitee of the Unit Owner sought to be fined, and an opportunity for a hearing before the Fining Committee. The fine may not exceed \$100 a day per violation, or \$1000 in aggregate.

TO SUSPEND RIGHTS AND PRIVILEGES

The Board of Directors, to the maximum amount allowed by law, may suspend the Unit Owner, or a Unit Owner's Tenant, Guest, or Invitee's rights and privileges for a reasonable period of time, his or her right to vote, right to attend board meetings and right to use the non-essential common elements and other recreational facilities. Suspensions may not be imposed unless at least 14 days' written notice to the Unit Owner and, if applicable, any occupant, licensee, or invitee of the Unit Owner, and an opportunity for a hearing before the Fining Committee. The suspension does not apply to limited common elements intended to be used only by that unit, common elements needed to access the unit, utility services provided to the unit, parking spaces, or elevators.

The Board may temporarily suspend the membership rights and privileges for a period of thirty (30) days for any other single violation of the condominium documents. If multiple violations exist, consecutive thirty (30) day suspensions may be imposed - one thirty (30) day suspension for each violation.

The Board may temporarily suspend the membership rights and privileges of any Unit Owner or the unit's occupant, licensee, or invitee delinquent more than 90 days in paying a fee, fine, or other monetary obligation due to the association, until the fee, fine, or other monetary obligation is paid in full. Such suspension shall be lifted once the Unit Owner brings his/her account current.

FINE SCHEDULE

First Violation	Notice of Violation and warning of a possible fine or suspension if not cured or if repeated
Failure to cure, or repeat to First Violation	Levying of fine (\$100/day up to a maximum of \$1000) or suspension, according to maximum amount allowed by law

NOTICE OF VIOLATION AND WARNING

Once a Violation is identified, the Unit Owner shall be notified in writing by email or First Class Mail with a Notice of Violation and Warning as to the Violation, asked that it be cured within a specified period of time if applicable, informed that the incident is documented on file, and warned that if no corrective action is taken or if the Violation is repeated a fine or suspension will be levied.

Notwithstanding the foregoing, in situations where the Board, in its discretion, determines that the alleged offense is sufficiently serious including, but not limited to, threats of physical violence against persons; damage to property; dog bites; in-progress, unapproved architectural modifications; egregious conduct; or consistent disregard of Governing Documents after Notice of Violation and Warning, the Board may authorize the omission of the Notice of Violation and Warning and proceed directly to the actions described below and/or other enforcement actions authorized by the Governing Documents and Florida law.

LEVYING OF FINE AND FINING COMMITTEE HEARING

If the violation described in the Notice of Violation and Warning is not corrected within the time specified, or if the same violation is repeated, then the Board may levy a fine or suspension and the Fining Committee will hold a hearing. A letter informing the owner a fine or suspension has been levied and a Notice of Hearing is mailed or hand delivered to the Unit Owner/resident at least fourteen (14) days, but not more than thirty (30) days prior to a scheduled hearing. The letter will describe the violation, including any prior warnings given, the fine or suspension imposed, the date, time and location of the Fining Committee hearing, and the rights of the owner to attend the hearing and address the Fining Committee.

FINING COMMITTEE STRUCTURE AND PURPOSE

The Fining Committee shall consist of not less than three (3) members and at least one (1) alternate appointed by the Board who are not Officers, Director, or employees of the Association, or the spouse, parent, child, brother, or sister of an Officer, Director, or employee. The Committee shall, amongst itself, elect a Chair and, if desired by the Committee, a Vice-Chair.

The Fining Committee's purpose is to assure that fines or suspensions are administered reasonably and fairly and shall only approve or disapprove of the fine or suspension. The Fining Committee shall not have the authority to increase, decrease or in any way alter or change the fine imposed by the Board of Directors in the event it is approved.

NOTICE OF HEARING

Unless otherwise determined by the Board, all hearings shall be open to attendance by Owners. Any Fining Committee hearing will be noticed at least forty-eight (48) hours prior to the hearing. Owners other than those against whom a fine or suspension have been levied may attend the hearing but are not allowed to speak.

OWNERS' REFERRAL FOR LEGAL COUNSEL

If the Owner wishes to have legal counsel present at the hearing, the Property Manager must be notified at least three (3) business days prior to the hearing date so that arrangements can be made for the Association's legal counsel to attend the hearing. Failure to provide this notice may result in postponement of the hearing.

OWNERS' FAILURE TO ATTEND HEARING

In the event the Owner fails to appear at the hearing and does not submit a written statement disputing the allegations, the hearing shall be held as scheduled.

FINING HEARING PROCESS

The Fining Committee will meet at the appointed time and place to review the evidence. At the hearing, the Property Manager will present the documented evidence to the Committee. The Owner, Owner's counsel (if any) and any relevant witnesses will be entitled to attend the hearing and testify. The Fining Committee may deliberate in private.

The Committee by majority vote may either approve or disapprove the fine or suspension, and it will only be imposed if approved. The decision will stand with no further appeals to the Fining Committee.

IMPOSITION OF FINE AND/OR SUSPENSION AND PAYMENT

The Property Manager will send a Notice of Imposition of Fine and/or Suspension letter to the Unit Owner by mail stating the fine or suspension. Payment of the fine must be received by the Association no later than five (5) days after the date of the Fining Committee hearing at which the fine is approved. A fine may not become a lien against a unit.

CURE OF VIOLATION DURING ENFORCEMENT

An Owner may correct a Violation at any time during the pendency of any procedure prescribed by this Policy. Upon verification by the Property Manager that the Violation has been corrected, the Violation will be deemed cured. The Owner will remain liable for all costs and fines under this Policy.

ASSOCIATIONS' REFERRAL TO LEGAL COUNSEL

The Board may refer any matter to legal counsel if the Board deems it to be in the best interests of the Association. Such legal action may include, without limitation, sending demand letters to the violating Owner, seeking injunctive relief against the Owner to correct or otherwise abate the Violation, and/or filing suit to collect fines and/or costs incurred to cure the Violation or repair property damage.

DEFINITIONS

The definitions contained in the Condominium Act, and the Governing Documents are hereby incorporated herein by reference.

SEVERABILITY AND LEGAL INTERPRETATION

In the event that any provision herein shall be determined by a court with jurisdiction to be invalid or unenforceable in any respect, such determination shall not affect the validity or enforceability of any other provision, and this Policy shall be enforced as if such provision did not exist. Furthermore, in the event that any provision of this Policy is deemed by a court with jurisdiction to be ambiguous or in contradiction with any law, this Policy and any such provision shall be interpreted in a manner that complies with an interpretation that is consistent with the law. In the event any provision of this Policy conflicts with the Declaration, the Declaration controls.