

OAKWOOD

AT NOCATEE

Oakwood Homeowners Association, Inc. Compliance Policy and Implementation Procedures

RESOLUTIONS

WHEREAS, The Oakwood Townhome Owners Association, Inc. is a corporation, not for profit, organized pursuant to Chapter 617 (Corporations Not for Profit), of the Florida Statutes for the purpose of managing, operating and administrating the association known as Oakwood Townhome Owners Association, Inc.; and

WHEREAS, the governing documents requires the Board of Directors to exercise their powers and duties of the association; and

WHEREAS, a principal responsibility of the Board of Directors is to ensure that the Declaration of Covenants and Restrictions, Bylaws, and Rules and Regulations are not violated; and

WHEREAS, the Board of Directors has developed a comprehensive policy to remedy violations including detailed procedures, a list of violations, a fining schedule and notification letters; and

WHEREAS, this document and the attachments hereto satisfy the requirements of Chapter 720.305 of the Florida Statutes; and

NOW, THEREFORE, BE IT RESOLVED THAT the attachments to this resolution including the Oakwood Townhome Owners Association Inc. Compliance Policy and Implementation Procedures, Duties and Responsibilities Delegated to Community Association Manager, draft Notices, Charter of the Compliance Committee and Fining Schedule are hereby adopted by the Board of Directors of the Oakwood Townhome Owners Association Inc.

AND FURTHER, the implementation of this policy is delegated to MAY Management Services, Inc.; specifically, to the Community Association Manager (CAM) assigned to Oakwood Townhome Owners Association, Inc. as an Agent of the Board of Directors to act on their behalf and at their direction. This delegation may be rescinded, amended or withdrawn by the Board of Directors without notice.

*******Reflect Adoption in meeting minutes*******

Compliance Policy and Implementation Procedures

When residents wish to report violations of applicable covenants, rules, architectural requirements or other violations of the governing documents, or the violation is observed directly by a member of the HOA staff, the following procedures will be followed:

1. The violation is to be reported directly to the property management company.
2. The matter will then be investigated by the property management company.
3. The property management company will verify the violation, depending upon which community documents have been violated. The property management company will then either forward a "courtesy" letter to the resident or contact the resident directly, depending on the nature of the violation.
4. If no resolution is reached, a second letter will be sent to the resident warning of potential fines and/or suspension of the right to use the common areas and facilities. All letters will advise of the specific sections of the governing documents that are being violated. Letters will be signed by the property management company, with copies retained in the residents file.
5. In the event that the Board shall determine that a particular violation is particularly egregious or urgent, the Board may in its responsible discretion dispense with the initial notice letters described in paragraphs 3 and 4 above, and proceed directly to a meeting before the Board of Directors to consider fines and/or suspensions.
6. If the violation continues with no resolution, a third letter will be sent to the resident requesting immediate response.
7. If no corrective action is taken, a fourth letter will be sent notifying the resident of the specific time, date and location of a properly noticed Board meeting at which a discussion will occur regarding their violation, and a decision made as to whether to fine and/or suspend privileges to use the common areas of facilities. This notice will be given to the resident at least 14 days prior to such Board meeting.
8. In cases where there is a doubt as to whether a particular incident constitutes a violation of the applicable governing documents, the Board may consult with the Association's attorney prior to the meeting.
9. At the Board meeting:
 - a. a presentation of all relevant facts will be allowed from both sides;
 - b. facts present by the Association must demonstrate violations of applicable covenants, rules, architectural requirements, or other governing community documents.
 - c. presentation of facts may be made by anyone with knowledge of the alleged violation(s);
 - d. comments from the membership in attendance will not be allowed during the hearing;
 - e. the Board shall base its decision solely on the evidence presented at the hearing;
 - f. Board decisions shall be made by a majority vote.
10. If a fine or suspension is levied by the Board, the resident will then be advised in writing that they have an opportunity for an appeal hearing before the Association's Compliance Committee, per Section 720.305, Florida Statutes, on not less than 14 days' notice.
11. After such appeal hearing, the Compliance Committee will determine whether to confirm or reject the fine and/or suspension levied by the Board. If the Compliance Committee by a majority vote does not approve a proposed fine or suspension, it may not be imposed.

12. If a fine and/or suspension is confirmed by the Compliance Committee, the Board will provide written notice of such to the resident by mail or hand delivery, or if applicable, to any tenant, licensee, or invitee. The fine and/or suspension will be immediately imposed, with fines due within 5 days of such notice.
13. Suspension of rights to use common areas or facilities and/or voting rights for failure to pay monetary obligations due to the Association that are more than 90 days delinquent will still be imposed by the Board per the Board's adopted Delinquency Policy. However, the 14-day notice requirement (see #5 above) and the requirement for an opportunity for a meeting before the Compliance Committee (see #9 above) do not apply to such suspensions. All such suspensions will be imposed per the Delinquency Policy. The Manager will provide written notice of any such suspensions by mail or hand delivery, or if applicable, to any tenant, licensee, or invitee, allowing 14 days' notice prior to the suspension.
14. The Compliance Committee will be appointed by the Board and will be comprised of at least three members of the Association who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother or sister of an officer, director, or employee of the Association.

Additional Information about the Violation Process

A reoccurring violation is one where the original violation, (for example parking on the street overnight), is resolved but the same violation is repeated. When a violation is reoccurring, the CAM may treat the second offense as step 2 in the violation process and issue letter #2.

The Compliance Violation process protects every property owner's investment in the Oakwood community by upholding the restrictions in the governing documents. Compliance with the governing documents is achieved primarily by voluntary cooperation. Violations of the governing documents will be handled in a fair and reasonable manner through the violation process established by Oakwood covenants.

The Board of Directors is responsible for appointing an Independent Compliance Committee (hearing panel) established by Florida Statute 720.305 and the Oakwood Covenants. The panel will determine if fines and/or suspension assessed by the Board of Directors should be imposed, or rejected.

The Management Company and CAM, as the agent of the Oakwood Board of Directors, are responsible for implementing all delegated aspects of the compliance procedures to achieve compliance.

Fines, Suspension of Privileges and Remedies of Violations Established by the Board

In accordance with the Florida Statutes, fines can be established at \$100.00 per violation and \$100.00 per day for a continuing violation up to a maximum of \$1,000.00. If the fines reach \$1,000 maximum, a lien may be placed against the property. Additionally, per section 720.305 Florida Statutes the Association may initiate further "actions of law or in equity."

Suspension of Privileges

Violations can also result in a loss of use privilege of the common area/amenities. Voting rights can be suspended during the imposed suspension of privileges. No suspension may prevent an owner from having access to this property.

All suspensions for violations must be approved at properly noticed Board meetings, and upon approval, the Board of Directors must provide written notice of any fine or suspension to the owner by mail or hand delivery. Suspensions of rights to use common areas or facilities and/or voting rights for failure to pay monetary obligations due to the Association that are more than 90 days' delinquent are not subject to the compliance procedures discussed above.

Remedies for Violations Not Cured:

Should certain violations not be corrected by the owner, Article VII Section 5 of the Oakwood Covenants, allows for the Board to authorize a contractor, hired by the association to correct such violations. The expense of this effort will be charged to the owners' account.

Duties & Responsibilities Delegated by the Board to the Community Association Manager

The Oakwood Board of Directors hereby delegates the following Compliance duties and responsibilities to the Management Company and Community Association Manager (CAM) with authority to act as the Board's agent in these matters:

1. Conduct periodic onsite community inspections using reasonable, professional industry standards when assessing violations.
2. Investigate violations/concerns reported by owners.
3. Respond to owner inquiries concerning violations.
4. Keep detailed records on each violation.
5. Mail notices to violators for violations as detailed in Covenants and the Board's Compliance Policy and Implementation Procedure.
6. Work with the owners to minimize the violations issued and assist in the timely resolution of any that are issued.
7. Any potential violation not specifically addressed by the governing documents or requiring legal interpretation shall be referred to the Board for clarification and instruction before enforcement action is initiated by the Management Company.
8. Schedule Compliance Committee hearings as needed.
9. Mail letter providing Compliance Committee hearing information to each violator at least 14 days before the hearing date.
10. Prepare and provide information on each "case" to the Compliance Committee seven days in advance of hearing.
11. Prepare minutes of the Compliance Committee hearing including date, members present and decisions made for each case.
12. Implement Compliance Committee decisions:
 - a. Mailing a letter to the violator within 7 days of the Compliance Committee's meeting with decision.
 - b. Informing the Accounting Unit to apply the applicable fine to the member's account.
13. Provide the Board of Directors with a monthly report detailing outstanding violations, remedied violations, and status of fines assessed and suspensions imposed by the Board and confirmed by the Compliance Committee.
14. Recommend changes to the Compliance Policy and Implementation Procedures to the Board as appropriate.

The Oakwood Board of Directors shall retain the right to amend the duties and responsibilities delegated to the Community Association Manager.

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

COURTESY NOTICE

Date

Owner(s) name Street Address City, State, Zip

Re: Property Street Address

Dear Owner(s) name:

As you know, a prime objective of the Board of Directors is to ensure the standards of our community as detailed in the Declaration and Rules & Regulations, are maintained, and to inform owners when action is needed to maintain those standards.

This is a courtesy notice noting that the below referenced violation has occurred.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert document reference here]

We appreciate you letting us know when and how you plan to correct this violation within 7 days from the date of this letter. It is preferred that you do so utilizing the link below to view, respond and track the status of your violation. You may use the attached "Action to Satisfy" form and return it to MAY Management or simply email or call with your response to (community assistant).

View/Update Online: [\[Smartwebs Link\]](#)

Your prompt cooperation is appreciated to correct this violation in order to help maintain the high standards of our community.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

FIRST NOTICE OF VIOLATION

Date

Owner(s) name Street Address City, State, Zip

Re: Property Street Address

Dear Owner(s) names:

Oakwood HOA is a beautiful place to call home. Your Association's Board of Directors work hard to ensure that the property values and aesthetics of MAY Management Services remain high. As your Community Association Manager, I strive to ensure that all the Covenants and Restrictions, along with the Rules and Regulations of the Association are adhered to. Previously we sent you a Courtesy Letter regarding the below referenced violation that to date as either not been corrected and is allowed to remain or has occurred again.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert violation reference]

Since this violation has escalated from a Courtesy Notice to a First Notice of Violation, your prompt attention to resolve this ongoing violation is greatly appreciated. To facilitate the correction and avoid any further violation notices we appreciate you letting us know when and how you plan to correct this violation within 7 days from the date of this letter. It is preferred that you do so utilizing the link below to view, respond and track the status of your violation. You may use the attached "Action to Satisfy" form and return it to MAY Management or simply email or call with your response to (community assistant).

View/Update Online: [\[Smartwebs link\]](#)

If this matter is not resolved you may be charged a violation fine of \$100 per day up to \$1,000. Thank you for your prompt cooperation and support of the Association.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

SECOND NOTICE OF VIOLATION

Date

Owner(s) name Owner(s) street address Owner(s) City, State, Zip

Re: Property Street Address

Dear Owner(s) name:

Oakwood HOA is a beautiful place to call home. Your Association's Board of Directors work hard to ensure that the property values and aesthetics of MAY Management Services remain high. As your Community Association Manager, I strive to ensure that all the Covenants and Restrictions, along with the Rules and Regulations of the Association are adhered to. Previously we sent you a Courtesy Letter and First Notice of Violation regarding the below referenced violation that to date as either not been corrected and is allowed to remain or has occurred again.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert document reference]

Since this violation has escalated from a First Notice of Violation to a Second Notice, your immediate attention to resolve this ongoing violation is required. To facilitate the correction and avoid any further violation notices we appreciate you letting us know when and how you plan to correct this as soon as possible. It is preferred that you do so utilizing the link below to view, respond and track the status of your violation. You may use the attached "Action to Satisfy" form and return it to MAY Management or simply email or call with your response to (community assistant).

View/Update Online: [\[Smartwebs link\]](#)

If this matter is not resolved you may be charged a violation fine of \$100 per day up to \$1,000. Thank you for your prompt cooperation and support of the Association.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

THIRD NOTICE OF VIOLATION & NOTIFICATION OF BOARD MEETING TO IMPOSE A FINE

Date

Owner(s) name Owner(s) street address Owner(s) City, State, Zip

Re: Property Street Address

Dear Owner(s) name:

Previously we sent you a Courtesy Letter, First & Second Notice of Violation regarding the below referenced violation that to date as either not been corrected and is allowed to remain or has occurred again. Since this violation has not been resolved after multiple notices you are hereby notified that at a meeting scheduled on date of BOD Mtg the Board will vote to assess a fine and or suspension.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert document reference]

The fine is \$100 per day for a continuing violation to a maximum of \$1,000. You will be notified in writing on the outcome of the Board decision after the meeting date scheduled as noted above. If the Board of Directors approves assessing a fine against you, you will also be notified in writing of the date of a hearing before the Compliance Committee to consider and appeal the fine and/or suspension.

You may contact me at cstubbs@mayresort.com with any questions or concerns.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

NOTIFICATION OF BOARD IMPOSED FINE & HEARING NOTICE

Date

Owner(s) name Owner(s) street address Owner(s) City, State, Zip

Re: Property Street Address

Dear Owner(s) name:

Previously we sent you a Courtesy Letter, First, Second & Third Notice of Violation regarding the below referenced violation that to date as either not been corrected and is allowed to remain or has occurred again. As noted in the Third Notice of Violation, the Board of Directors met on **(date of mtg)** to consider imposing a fine/suspension against your for the below referenced violation. You are hereby notified that the Board voted to impose a fine against you for \$.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert document reference]

A hearing before the Compliance Committee to consider and appeal this fine (suspension) has been scheduled for **(date of Hearing)**. If you are not available to attend this hearing you may request it be rescheduled by contacting me in writing. If you do not attend the Compliance Committee hearing, and the Committee reaches a decision to uphold the fine/suspension imposed by the Board, the fine/suspension shall take affect five days after their meeting.

You may contact me at cstubbs@mayresort.com with any questions or concerns.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

Oakwood Townhome Association, Inc.
C/O MAY Management Services, Inc.
240 Canal Blvd. Ste. 2
Ponte Vedra Beach, FL 32082

NOTICE OF FINE

Date

Owner(s) name Owner(s) street address Owner(s) City, State, Zip

Re: Property Street Address

Dear Owner(s) name:

You are hereby notified that the Board of Directors met on **date of BOD Mtg** and levied against you for the below referenced violation. The fine was upheld by the Compliance Committee at a hearing held on **date of mtg**. The fine amount of **\$amount of fine** has been assessed to your account. Payment for the fine amount is due within 5 days of the date of this letter. You may deliver or mail the fine to the 5455 A1A South, St. Augustine, FL 32080.

[Insert violation verbiage]

Note the applicable document reference below.

[Insert document reference]

You may contact me at cstubbs@mayresort.com with any questions or concerns.

Sincerely,

Christine Stubbs, LCAM
Community Association Manager
On Behalf of the Board of Directors

OAKWOOD

AT NOCATEE

Oakwood Townhome Owners Association, Inc. Compliance Committee Charter

PURPOSE:

The Compliance Committee is established by the Oakwood Board of Directors under the specific guidelines outlined in Title XL, Chapter 720 of the Florida Statutes section 720.305, the Oakwood Declaration of Covenants and Restrictions (Covenants), and the By-Laws as amended from time to time. The purpose of the Compliance Committee is to either reject or confirm the fine levied by the Board of Directors.

ORGANIZATION:

The Compliance Committee is a permanent standing committee and will be comprised of not less than three members, appointed by the Board of Directors, who are not officers, directors or employees of the Association, nor the spouse, parent, child, brother or sister of an officer, director or employee. The Committee operates independently of the Board of Directors during the hearing process and shall act impartially when reviewing violations. Committee members will be appointed by the Board of Directors and the Committee Chairperson shall be elected by the appointed members. A minimum of three committee members will be required at each scheduled hearing. Any member having a conflict of interest shall recuse themselves from serving on the hearing panel.

The CAM will notify The Compliance Committee that a violation has reached the hearing stage and the owner has requested a hearing. The CAM will provide notification of the hearing to the Compliance Committee and homeowner 14 days in advance of the Hearing in accordance with Florida Statute 720.305 and Covenants Article 14 Section 4(B). The CAM will also provide the committee members all pertinent information files 7 days prior to the hearing. Decisions shall be made by a majority vote of the Committee members serving as the hearing panel to: either reject or confirm the fine levied by the Board of Directors. Information provided to the committee/panel regarding violations is confidential.

RESPONSIBILITIES AND DUTIES:

1. Conduct the hearing in an impartial and unbiased manner and reach a majority decision.
2. The Committee/Panel does not express opinions or determine violations.
3. Ensure hearing minutes are taken and provided to the CAM at the conclusion of each hearing providing the date, members in attendance, owners name, property address and decision of the case.
4. Compliance Committee members should not have any discussions regarding the violation with the homeowner who is requesting a hearing other than at the actual hearing.
5. Other duties as assigned by the Board of Directors.

Established Fines for Non-Compliance

ARCHITECTURAL STANDARDS

\$50 per day fine

Holiday decorations not removed timely in accordance with Community Wide Standards
Unauthorized window air conditioner(s) installed
Temporary structures (i.e., trailer, tent, shack, barn, shed, or outbuilding, etc.)
Trampolines
Unauthorized Playsets/basketball hoops
Window treatments without white or off-white lining exposed to public
Structural/decorative elements not in accordance with Architectural Standards
Unauthorized tree removal

\$100 per day fine

Owner has not received ARC approval on external modifications.

COMMON AREAS

\$50 per incident fine

Using any Common Area for activities not intended for the area
Disposing of debris onto Common Area

LANDSCAPING

\$50 per day fine

Dead plants not replaced
Ground satellite dish not screened by landscaping
Trash/recycle receptacles, generators, portable BBQs, hoses not screened from public view with landscaping

PETS & ANIMALS

\$50 per incident

Not properly disposing of pet waste
Dogs not on leash
No animals, wildlife, livestock, poultry of any kind, other than domesticated household birds and fish, housedogs and domesticated house cats

VEHICLES & RV's

\$50 per day/per incident fine

Overnight parking on streets

Vehicle blocking the sidewalk

Parking on street when driveway is unoccupied Parking a vehicle "For Sale" in common areas Garage door left open when not in use

Prohibited vehicles-types (Boat & RV, etc.) kept at unit overnight

Repairs and/or maintenance of vehicle(s) not confined to garage

Vehicle(s) parked in driveway without a current license tag

Commercial vehicles within public view (Printing on doors/hood not covered)

MISCELLANEOUS

\$50 a day/per incident fine

Unauthorized signs

Noncompliant flags & flag poles

Sports equipment not removed from sight each day

Copy of the lease not given to the Association prior to the lease start date

Driveway and/or sidewalk not free of weeds and/or stains

Trash or recycle receptacles not removed from curbside by the end of the day of pickup

Home exterior not free of stains

Unauthorized garage sales

\$100 per day fine

Commercial business conducted on premises