

PINEWINDS FINING PROCEDURE AND PROCESS DECLARATIONS/BY-LAWS ENFORCEMENT

All residents of Pinewinds are bound by the Amended and Restated Declaration of Covenants and Restrictions for Pinewinds East Lake Woodlands Cluster Home, Unit One:

[Amendments to the Declarations \(04-2020\)](#), and [Amended and Restated Bylaws](#) which are further defined by the Architectural Standards, Rules and Regulations (ARR's). [Architectural Standards, Rules, and Regulations 11-2025](#). These documents can be found on the the Pinewinds website: www.pinewindselw.com/documents.

Furthermore, the Board of Directors (BOD) has the authority to impose monetary fines as authorized by the Florida Statutes Chapter 720.305 www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0720/Sections/0720.305.html and the Amended and Restated Bylaws for Pinewinds.

THE FINING COMMITTEE - This committee is comprised of three homeowners. This cannot include officers, directors or employees of Management & Associates (M&A), or any relative of the named groups. The fining committee (FC) will have a spokesperson/FC chair to facilitate all communications. The committee is charged with an even handed approach while listening to both the owner and the BOD. The FC will then determine whether to confirm or reject the fine or suspension imposed by BOD. Meeting of the FC will occur as often as necessary until a final decision is made.

REPORTING AN OFFENSE - Any property owner can report an offense in writing to the property manager who will inform the BOD. If requested, the person submitting the evidence can remain anonymous to the BOD. Directors who witness offenses must submit their evidence prior to the hearing; first and second corrective action letters are considered necessary documentation.

FIRST CORRECTIVE ACTION

- 1) The President of the BOD and the FC chair must agree that the offense calls for a written violation notice. At this time, the FC Chair will direct M&A to draft a letter that addresses the violation. This is a 14 day notice to solve the violation or to notify M&A of the intent to remedy the situation. All BOD directors will be notified.
- 2) The FC chair will then notify the property manager to mail both a certified letter and a letter through the U.S. postal service. If the violation is resolved, no further action is taken.

SECOND CORRECTIVE ACTION - UNCURED VIOLATION - ENACT FINING PROCESS After fourteen (14) days if offenses have not been corrected, the chair will recommend to the BOD and FC that a fine hearing notice should be sent to the violating resident by registered mail. Copies of the letter and evidence of violation(s) are provided to BOD and FC members. BOD president and FC chair may request the attorney to send the letter, if needed.

3) This violation notice will apply to the residence owner and, if applicable, any occupant, licensee or invitee of the owner.

4) The violation notice will be sent fourteen (14) days prior to the next scheduled BOD meeting. A special BOD meeting can be held since Florida Statutes require the meeting to be open to all members of the community.

- Prior to the meeting, an inspection of the property should be completed to ascertain the violation.
- The FC will be present at the BOD meeting with the violating party and any witnesses who will have an opportunity to present their case to the FC. BOD responsibilities include only listening at this time.

- All evidence should be presented during this meeting.
- The violating party may submit their case in writing to the property manager prior the meeting. The property manager will share documents with the FC.

5) The FC will adjourn to a separate room to review all evidence and discuss the findings after all evidence has been presented. The BOD will be informed when a decision has been reached.

6) A majority vote must approve the proposed fine or suspension; if the FC does not have majority vote, the proposed fine or suspension may not be imposed and the fine is dropped.

7) If the FC approves the fine, the BOD may impose a fine up to \$100.00 per day for each day of a continuing violation. Amount is capped at \$1,000.00 per violation which is stated in the Florida Statutes.

8) Once the FC approves the fine, the amount will be placed on the owner's ledger no later than five (5) days after the meeting. A fine payment notice will be mailed at this time.

9) Legal fees which were incurred during this violation will be voted on at this meeting by the BOD.

10) When no one represents the homeowner at the meeting, the BOD may still impose the approved fine recommended by the FC.

FINE PAYMENT NOTICE

11) Payment is due five (5) days from date of letter in accordance to Florida Statutes. To allow for mail delays, fourteen (14) days will be allowed.

12) Additionally, if the violation is not resolved, or upon reoccurrence, legal action may be taken against the offender without further notice and the Association may seek attorney's fees to be held against the offender.

In addition, for all resident maintenance violations, the BOD reserves the right to use their authority written in the Amendments to the Declaration, Article II - Restrictions, Section 2.22 - Duty to Maintain. This states the BOD may enter the residence and correct the violation with reasonable notice and charge the cost to the owner.

13) After ninety (90) days, the BOD may suspend the individual's common area and voting rights, in addition to proceeding with placing a small claims action to receive judgement for the specific amount.

RIGHT TO ESCALATE - After review of the nature and severity of the violation, and in the case of a repeat violation within one year, the BOD reserves the right to escalate the violation to an appropriate fine.

All above violation policies and timeframes are used as a guideline; actions are subject to administration and processing delays. However, any deviation from this policy does not constitute a waiver of any rights or remedies of the Association in having the violations resolved.

Updated July 2026