

RESOLUTION

FINING/SUSPENSION COMMITTEE ("COMPLIANCE COMMITTEE")

FINING/SUSPENSION PROCEDURES

WHEREAS, Parkway Villas Condominium Association, Inc. ("Association") is a corporation created to operate, manage, and maintain the Parkway Villas Condominium complex located in Bradenton, Florida; and

WHEREAS, the day-to-day affairs of the Association are administered by the Board of Directors of the Association ("Board"); and

WHEREAS, Section 718.303(3), Florida Statutes (the "Statute") provides that the Association may levy reasonable fines for the failure of a Villa Owner or its occupant, licensee, or invitee to comply with any provision of the Association's governing documents; and

WHEREAS, the Statute provides that a fine of \$10-50 may be levied on the basis of each day of continuing violation, with a single notice and opportunity for hearing, but that the fine may not exceed \$1000 per calendar year.

WHEREAS, the Statute authorizes the Association to suspend, for a reasonable period of time, the right of a Villa Owner, or a Villa Owner's tenant, guest, or invitee, to use the common elements, common facilities, or any other association property for failure to comply with any provision of the Association's governing documents; and

WHEREAS, a fine or suspension may not be imposed unless the Association first provides at least 14 days' written notice and an opportunity for a hearing to the Villa Owner and, if applicable, its occupant, licensee, or invitee. The hearing must be held before a committee of other Villa Owners who are neither board members or spouses/family (including extended) members of the Owner/occupant/licensee/invitee. If the committee does not agree, the fine or suspension may not be imposed; and

WHEREAS, the Board of Directors is desirous of creating a Committee (the "Committee") whose function will be to determine whether or not a fine and/or suspension should be levied against a Villa Owner (or their tenants, guests or invitees) as contemplated by the Statute.

NOW, THEREFORE, it is hereby resolved as follows:

1. The above recitations are true and correct and are hereby incorporated into this Resolution.
2. The Committee shall consist of five (5) Members and be chosen by the chairperson from a list of up to 18 residents interested in serving as Committee members. The Committee members shall serve at the pleasure of the Board of Directors and may be removed or replaced upon a motion of the Board, documented in the Minutes, without need for further Board Resolution. The Committee members must be Villa Owners, but may not

be Board members or spouses/family members (including extended) of the Owner/occupant/licensee/invitee. The Board shall have the power to fill vacancies in the Committee and, at any time with or without cause. The Board shall also have the power to dissolve such Committee.

3. The Board of Directors, in appropriate situations, shall initially address violations by issuing a demand letter or documented visit by 2 Board Members informing the offending person of the nature of the violation and providing 14 days to cure the violation ("Notice of Violation"). At the end of the 14 days, 2 Board Members (preferably the original ones) will verify if the violation does or no longer exists. It shall generally be the policy of the Association that where a person sought to be fined or suspended has violated the Condominium Documents in the past, or where the alleged violation is sufficiently serious, as determined by the Board of Directors, the Board may initiate the fining/suspension procedure without issuing a Notice of Violation.
4. If the Notice of Violation does not result in compliance satisfactory to the Board of Directors or in cases where no Notice of Violation is issued, the Board shall initiate the fining and/or suspension process by sending 14 days' advance written notice to the person in violation advising such person of the date, time and location of a Compliance Committee Meeting to be held for the purpose of determining whether a fine and/or suspension will be imposed against such person in violation.
5. The Committee shall be empowered with the authority to conduct fining/suspension hearings. At least three (3) Committee Members are required for a quorum of the Committee. Actions of the Committee shall be by blind vote of a majority of the Committee Members present. At said hearing, the Board will be given an opportunity (written and/or verbal to explain the issue(s) of non-compliance and the attempts already made to rectify the issue(s). At said hearing, the violator will be given an opportunity to explain his/her opinion regarding the violation and defend his/her lack of action on the matter. At said hearing, the Committee shall be empowered with the authority to make a determination regarding whether a violation has occurred and also make a recommendation to the Board as to whether or not a fine and/or suspension should be imposed. If the Committee determines not to levy a fine/suspension, then the Board cannot levy a fine or suspension.
6. Any suspension pursuant to this provision shall apply to the use rights in all of the Common Elements and Association Property, except that such suspension shall not apply to (i) Limited Common Elements intended to be used by only the subject Villa; (ii) Common Elements that must be used to access the Villa; (iii) utility services provided to the Villa; or (iv) parking spaces. Such suspension shall be for a reasonable time, as determined by the Board.
7. The Board may delegate such other powers and duties to the Committee as may be necessary or appropriate under the circumstances. The Board may adopt additional policies and procedures for the Committee to follow, or to be utilized in connection with the fining/suspension process.
8. General compliance with this Resolution shall be sufficient, it being intended to be used as a guideline to ensure fairness in the fining/suspension process. It is the intention of this Resolution that persons sought to be fined or suspended are provided a reasonable

notice and an opportunity to be heard before any fine or suspension is levied. The Board shall have the authority to disregard the provisions of this Resolution in circumstances where the alleged behavior of person constitutes a violation of criminal law, or poses a threat to the health, safety, or welfare of the residents of the Condominiums. Compliance with this Resolution shall not be deemed a prerequisite to the initiation of legal proceedings or other remedies to enforce the Condominium Documents.

9. This Resolution does not apply to suspensions for non-payment of monetary obligations owed to the Association.
10. This Resolution supersedes, modified or negates, as may be appropriate, any prior Resolution, policy or other order of the Board of Directors which may deviate from the terms herein.

There are 7 total Board members. The number of Board members who voted in favor of this Resolution is 7. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the Minutes of the meeting at which this Resolution was adopted.

PARKWAY VILLAS CONDOMINIUM ASSOCIATION, INC

By: _____

President

Date: _____