

HAWKS POINT WEST HOMEOWNERS' ASSOCIATION, INC.

COVENANT VIOLATION ENFORCEMENT POLICY

Under the authority granted to the Board of Directors by the Declaration of Covenants, Conditions, and Restrictions for Hawks Point West Homeowners' Association, Inc. and Florida Statute 720, the following Covenant Violation Enforcement Policy is in effect for Hawks Point West Homeowners' Association, Inc. (HPW HOA). The Association's Community Association Manager (CAM) shall administer this policy.

**VIOLATION *within 12 calendar months***

1. **FIRST NOTICE.**

Homeowner shall be notified in writing of the nature of violation and be permitted 15 days to correct the violation.

2. **FINAL NOTICE (15 Days after First Notice)**

If upon re-inspection by the CAM, the Homeowner has not corrected the violation within 15 days of the First Notice, the Homeowner shall be notified in writing (by USPS Certified Mail) of the nature of the violation (as detailed in #1). The violation shall include the benefited assessment (fine), suspension of right of usage of community amenities, suspension of voting rights and/or access to community services that shall be levied against the homeowner by the Fining Committee if the violation is not corrected within 15 days of receipt of the final notice.

3. **BENEFITED ASSESSMENT (FINING) POLICY**

If the Homeowner has not corrected the violation within 15 days of receipt of the Final Notice, the violation shall be forwarded to the Fining Committee. The Homeowner has the right to appear at the Fining Committee Hearing.

The Fining Committee shall levy the benefited assessment (fine), revocation of right of usage of community amenities, suspension of voting rights and/or access to community services as appropriate to the violation as detailed in the Fining Policy.

Upon appearance at the Fining Committee Hearing, the Homeowner must provide proof the violation has been corrected. If proof is not received by the Homeowner and/or CAM prior to, or at the time of the hearing, the fine shall be levied by the Fining Committee.

If the CAM receives written or electronic proof of correction of the violation by the Homeowner prior to the Fining Committee Hearing, the CAM shall forward such proof to the committee for review at the next regularly scheduled hearing. Additionally, the CAM may submit proof the violation has been corrected to the fining committee, if upon re-inspection, the Homeowner has corrected the violation and independent of communication by the Homeowner. The CAM is under no obligation to inform the Homeowner proof of the corrected violation has been forwarded to the Fining Committee.

**SECOND VIOLATION *similar to first violation within 12 calendar months of original violation***

4. CAM shall proceed directly to the FINAL NOTICE (as detailed in #2)

This covenant enforcement policy supersedes any previous covenant enforcement policy. Pursuant to Florida Statute, the delinquent homeowner shall be responsible for repayment of all administrative costs, charges, accrued interest and attorneys' fees related to the collection of delinquent benefited assessments (fines):

The above detailed timeframes are intended to guideline and all actions are subject to administrative and processing delays. However, any deviation from this policy shall not constitute a waiver of any rights or remedies of the association in collecting benefited assessments (fines) if any assessed.

Approved by the Board of Directors on this 13<sup>th</sup> day of November, 2018

Signature: \_\_\_\_\_

Title: President, Board of Directors

Printed Name: Joseph J. Jaeger