

ASSOCIATION OF EDGEWATER LANDING OWNERS, INC.

VIOLATION REPORTING/RESOLUTION PROCESS

POLICIES AND PROCEDURES

POLICY: This Policy describes the process for identifying, verifying and reporting violations and closing Violation Reports.

APPLICABILITY: This Policy is to be used by all Association members, Committees or Clubs, including Directors and Officers, and the Management Company (TJW).

DEFINITION: A violation is failure to follow the requirements of the Edgewater Landing (EL) Documents; Articles of Incorporation, Covenants, By-Laws, with all recorded amendments, and Rules and Regulations. Violations may be a single occurrence (e.g., changing the color of your house without ACC approval) or a repetition of similar events (e.g., regularly putting loose yard waste in gutters or storm drains).

PROCEDURES: Reporting violations, whether to the violator or the Management Company, is not comfortable for some people because they don't want to offend their neighbors or be labeled as a 'tattle-tale' or informant. We are, however, all members of this attractive and socially active community and should be willing to ensure our neighbors know and follow the rules and requirements that keep this an attractive and socially active community.

- A) The individual(s) identifying a violation of EL Documents should take the following actions.
- 1) Verify the violation. Check the EL Documents to be sure you've identified a violation and not just a difference of opinion.
 - 2) Inform the responsible property owner of the violation. Make sure they understand the applicable requirement and even the possible corrective actions they could take.
 - 3) If no action is taken to resolve the violation, or if the responsible property owner is not contacted, report the violation to the Management Company (TJW).
 - a) The report must be made in writing and may be made using the Violation Report form or by email to the Management Company (TJW). The Violation Report form may be given to the Information officer at the Gate House in a sealed envelope, delivered to the Maintenance Office or mailed to the Management Company (TJW) office. Violations are not to be reported to Officers or Directors of the Association.
 - b) Reports must include the name and phone number of the reporter for follow-up or clarification. The name of the reporter will be kept confidential.
 - c) Reports must also include the name and address of the responsible property owner, a description of the violation (preferably including EL Document reference), note of any action taken, and the date of the report.

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- B) The Management Company (TJW) will take the following actions.
- a) Acknowledge receipt of the report to the person reporting.
 - b) Record the type of violation, the responsible owner and the date reported. This record is used to track predominant types of violations and identify repetition of a particular violation by one owner. Identification of predominant types of violation suggests that all residents be reminded of a specific regulation/requirement.
 - c) Investigate/verify the validity of the report. If not valid, the reporter is notified and the report is 'dropped'. No further action is taken.
 - d) Contact the responsible property owner to inform them of the nature of the violation, actions they might take to correct the violation and their right to petition the Board of Directors (BOD) for a review. Notification will be made within ten (10) days and may be in person, by regular mail or certified letter.
 - e) Record actions taken to notify the responsible owner, corrective actions planned or taken, resolution and date resolved
 - f) If corrective action is not taken or scheduled within ten (10) days and the BOD is not petitioned for a review, the Management Company (TJW) will notify the BOD for consideration of further action.
- C) The Board of Directors will review any/all violations reported to them and may take any of the following further actions.
- 1) The BOD may ask that the Management Company (TJW) continue to work with the responsible owner to resolve the violation. If a second attempt to resolve the violation is not successful, the BOD will take further action, as below.
 - 2) The responsible owner may be notified of a meeting of the BOD to discuss the violation and determine whether a fine or suspension of Association rights should be imposed.
 - a) The responsible owner shall be notified by mail or hand delivered letter at least fourteen (14) days prior to the meeting.
 - b) The letter will inform the responsible owner that the purpose of the meeting is to discuss the violation and determine if a fine or suspension should be imposed.
 - c) Allowable fines or suspensions are defined in and limited by the By-Laws for the Association of Edgewater Landing Owners, Inc. under Florida Statute 720.305.
 - (i) Suspension of rights to use association property, including cable TV, may be for a period of no more than one (1) month per violation.
 - (ii) Fines may not exceed \$100 per violation or for each day of a continuing violation.
 - (iii) A fine of less than \$1,000 may not become a lien against a parcel.
 - 3) A proposed fine or suspension will be submitted to the Violation Review Committee for review. No fine or suspension may be imposed before review by the Violation Review Committee nor may the BOD override the Violation Review Committee's rejection of the proposed fine or suspension.

EDGEWATER LANDING VIOLATION REPORT

NAME OF VIOLATOR: _____

ADDRESS: _____

PHONE: _____

DESCRIPTION OF VIOLATION: (Attach additional pages for description, photos or drawings, as needed.)

EL DOCUMENT VIOLATED: (Include page, section, paragraph and line as needed.)

ACTION TAKEN: _____

PERSON REPORTING VIOLATION:

NAME: _____
(Print Name) (Signature)

PHONE: _____ DATE: _____

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TJW DATE RECEIVED: _____ DATE/NAME OF OWNER NOTIFIED: _____

ACTION(S) TAKEN: (include follow-up with person reporting, calls and letters to owner, corrective action by owner, resolution, BOD notification, etc.)

DATE CLOSED: _____