

Grand Caribbean at Perdido Key Policy for Issuing Fines for Violations

1. Identify and Report Violation:

- 1.1 Any member of the Grand Caribbean at Perdido Key Association may file a written complaint to Grand Caribbean at Perdido Key's Association Property Manager (PM).
- 1.2 Details of the complaint should include time, date and the alleged violation of the association's governing documents or rule violation(s). Photos, digital media, or other evidence may be used to verify the violation.
- 1.3 Necessary steps will be taken by the PM to investigate the complaint issuing a warning or fine.

2. Notice of Violation:

- 2.1 Warning: If warranted, the PM will contact the owner to request a correction and issue a deadline based on the violation.
- 2.2 1st Notice: If the violation has not been corrected within the stated deadline, the PM will notify the owner indicating the fine amount of the violation. The PM will inform the owner of his/her 14-day right to be heard before the Rules Compliance Committee (RCC). The owner will also be informed of the rule being violated and the fine amount.
- 2.3 The RCC will be alerted by email of the violation by the PM.

3. Committee Hearing:

- 3.1 The owner of the violation fine must contact the PM within 14 days of receiving the notice to request a hearing with the RCC.
- 3.2 The PM will notify the RCC when a hearing has been requested.
- 3.3 With the assistance of the PM, the appealing owner and RCC will decide on a time, method of communication, and location of the hearing. All attempts to coordinate the hearing will be documented by the PM.
- 3.4 The hearing will take place in person, through virtual communication, or by other methods approved by the participants.
- 3.5 The hearing will not exceed 30 days from the owner's appeal notice.
- 3.6 The owner appearing before the RCC will be permitted to present reasons a fine should not be issued.
- 3.7 After the hearing, the RCC will vote in order to determine if the fine is confirmed or rejected.
- 3.8 If the owner does not request a hearing, the hearing will continue by the RCC and the decision to issue the fine will be reported to the PM. The board of directors will impose the fine if confirmed by the RCC.

4. Issuing Fines:

- 4.1 A fine will be issued if the owner fails to request a committee hearing.
- 4.2 A fine will be issued if the RCC confirms the fine after a hearing with the owner.
- 4.3 The owner will be notified of the final decision, fine amount, due date, and the consequences of delinquent fines by mail or hand delivery.
- 4.4 The fine is due 5 days after the fine notice is provided to the owner.
- 4.5 The fine amount will be recorded in the unit owner's account.
- 4.6 The fine cannot exceed \$100 per day, per violation, up to a total of \$1,000.

5. Delinquent Fines:

- 5.1 The PM will send a non-payment of fine and a collection notice to the owner.
- 5.2 Common elements suspension: If the owner is more than 90 days delinquent in paying a fee, fine, or other monetary obligation due to the association, the association may suspend the right of the owner to use common elements, common facilities, or any other association property until the fee, fine, or other monetary obligation is paid in full. This does not apply to limited common elements intended to be used only by that unit, common elements needed to access the unit, utility services provided to the unit, parking spaces, or elevators.
- 5.3 Voting Rights Suspension: The association may suspend the voting rights of the unit owner due to nonpayment of any fee, fine, or other monetary obligation due to the association which is more than \$1,000 and more than 90 days delinquent. Proof of such obligation must be provided to the owner 30 days before such suspension takes effect.
- 5.4 All suspensions must be approved at a noticed board meeting. A notice of suspension must be sent to the owner.
- 5.5 For non-compliance of violations or non-payment of fines, the association's attorney will be consulted.

Governing Documents:

- 1. Grand Caribbean at Perdido Key: Association Rules and Fines for Violations**
- 2. Grand Caribbean at Perdido Key, a Condominium Declaration of Condominium**
- 3. 2021 Florida Statutes: Title XL: Chapter 718 Condominiums: 718.303 Obligations of owners and occupants; remedies.—**

