### Section 1: [Article I, Section 1.1] Definitions, Purpose, and Governing Act

This Declaration of Covenants, Conditions, and Restrictions (or Declaration of Condominium) establishes the governance framework, maintenance obligations, and property covenants for all Lots and Units within the Association in the State of Florida.

### Section 2: [Article II, Section 2.1] Membership and Voting Rights

Every record Owner of a fee or undivided fee interest in any Lot or Unit shall be a mandatory Member of the Association and shall be entitled to one (1) vote per Lot or Unit in all Association affairs.

### Section 3: [Article XI, Section 11.4] Application and Transfer Fee Schedule

Any Unit Owner desiring to sell or lease a Unit in BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1 shall submit a completed application to the Board together with a non-refundable application fee of $300.00 per prospective purchaser or lessee to cover credit and background investigation costs.

ISSUE #1

### Section 4: [Article VII, Section 7.3] Pooled Reserve Account Administration

All Association reserves for BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1, including all structural and non-structural components, roof, plumbing, electrical, exterior painting, waterproofing, and amenity deck items, may be commingled in a single pooled reserve account for all capital repairs upon approval of the Board of Directors.

### Section 5: [Article X, Section 10.4] Board Authority to Levy Fines and Hearing Committee

The Board of Administration of BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1 has the power to fine any Unit Owner for violation of the Declaration, Bylaws, or House Rules upon five (5) days notice. One or more directors may serve on the hearing committee, and the committee's recommendation is advisory only and the Board may override the committee by majority vote.

### Section 6: [Rule 6.2] Parking Garage and Electric Vehicle Charging

Assigned parking spaces at BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1 are restricted to passenger automobiles only. Because of common electrical load concerns, electric vehicle charging stations and EV chargers are prohibited within all limited common element and assigned resident parking spaces.

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

**Sec. Article XI, Section 11.4 (p. 1): Screening/transfer fee of $300 exceeds statutory $150 maximum limit.**

**Statutory / Legal Reference: Fla. Stat. § 718.112(2)(i)**

Statutory Comparison: Florida Statute § 718.112(2)(i) limits transfer and screening fees to a maximum of $150 per applicant (excluding married couples or parent/child applicants where only a single fee may be charged).

CURRENT WORDING IN DOCUMENT:

Application and Transfer Fee Schedule - Any Unit Owner desiring to sell or lease a Unit in BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1 shall submit a completed application to the Board together with a non-refundable application fee of $300.00 per prospective purchaser or lessee to cover credit and background investigation costs.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

**Application and Transfer Fee Schedule - Any Unit Owner desiring to sell or lease a Unit in BISCAYNE LAKE GARDENS CONDOMINIUM NO. 1 shall submit a completed application to the Board together with a non-refundable application fee of $150 per prospective purchaser or lessee to cover credit and background investigation costs.**