

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 11.2] Transfer and Seasonal Lease Processing Fee

Every Unit Owner leasing or selling a Unit shall pay a non-refundable transfer and administration fee of \$250.00 to the Association prior to occupancy, including for repeat seasonal tenants and lease renewals.

Section 4: [Article VI, Section 6.3] Waiver of Structural and Roof Reserves

Reserve funds for roof replacement, concrete restoration, waterproofing, and structural elements may be waived or reduced for any fiscal year by a simple majority vote of the Unit Owners present in person or by proxy at a budget meeting.

Section 5: [Article XIV, Section 14.1] Board Fining Authority and Lien Rights

ISSUE #1

If Administration may levy a fine up to \$200.00 per day, up to \$3,000.00 aggregate, for any violation of the Condominium Documents. Unpaid fines shall be added to the Unit's regular assessment account and secured by a statutory condominium lien.

Section 6: [Rules and Regulations, Section 6] Service and Emotional Support Animal Restrictions

Tenants and guests are strictly prohibited from bringing pets of any kind onto Condominium property. Unit Owners or tenants requesting an accommodation for a service animal or emotional support animal must pay a \$150.00 pet sanitation fee and comply with the Association's thirty (30) pound weight limit.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article VI, Section 6.3 (p. 1): Outdated reserve waiver clause contradicts mandatory post-milestone SIRS requirements.

Statutory / Legal Reference: Fla. Stat. § 718.112(2)(f) (HB 1021)

Statutory Comparison: Effective under HB 1021, condominium and cooperative associations cannot waive or reduce reserves for items required by a Structural Integrity Reserve Study (SIRS), nor use structural reserve funds for non-scheduled purposes without statutory exemptions.

CURRENT WORDING IN DOCUMENT:

Waiver of Structural and Roof Reserves - Reserve funds for roof replacement, concrete restoration, waterproofing, and structural elements may be waived or reduced for any fiscal year by a simple majority vote of the Unit Owners present in person or by proxy at a budget meeting.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Provided, however, that reserve funding for components covered by a Structural Integrity Reserve Study (SIRS) pursuant to Fla. Stat. § 718.112(2)(g) cannot be waived, reduced, or used for any purpose other than their designated structural replacement.