

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 XV, Section 15.4] Transfer Fee Based on Sale Price and Lease Screening Charges

Upon any sale or lease of a Condominium Unit, the Unit Owner shall pay to the Association an application and transfer fee equal to one-half of one percent (0.5%) of the gross sale price or three hundred fifty dollars (\$350.00), whichever is greater, plus a lease renewal fee of two hundred dollars (\$200.00) for every annual lease extension.

Section 4: [Article VI, Section 6.5] Majority Vote Waiver of Structural Integrity Reserve Study Items

Notwithstanding that the Condominium building exceeds three stories in height, the membership may by a simple majority vote of the Units represented at a budget meeting waive or reduce the funding of all reserve items, including structural concrete, roof, waterproofing, plumbing, and fire protection reserves.

Section 5: [Article IX, Section 9.7] Fining Committee Appointed from Board Members and Employees

The Fining and Grievance Committee shall consist of two members of the Board of Administration and the Association's General Manager, who may impose fines of up to five hundred dollars (\$500.00) per violation upon seven (7) days' notice and convert unpaid fines into a foreclosable assessment lien.

Section 6: [Rule 13.2] Omission of Mandatory Statutory Website Portal and Records Restrictions

The Association shall not post budgets, financial reports, contracts, or meeting notices on any password-protected website portal, and Unit Owners may inspect Official Records only in person after a thirty (30) day waiting period and payment of a \$1.50 per page copying charge.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article XV, Section 15.4 (p. 1): Screening/transfer fee of \$350 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:

Transfer Fee Based on Sale Price and Lease Screening Charges - Upon any sale or lease of a Condominium Unit, the Unit Owner shall pay to the Association an application and transfer fee equal to one-half of one percent (0.5%) of the gross sale price or three hundred fifty dollars (\$350.00), whichever is greater, plus a lease renewal fee of two hundred dollars (\$200.00) for every annual lease extension.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Transfer Fee Based on Sale Price and Lease Screening Charges - Upon any sale or lease of a Condominium Unit, the Unit Owner shall pay to the Association an application and transfer fee equal to one-half of one percent (0.5%) of the gross sale price or three hundred fifty dollars (\$150), whichever is greater, plus a lease renewal fee of two hundred dollars (\$200.00) for every annual lease extension.

ISSUE #1