

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 XII, Section 12.2] Lease & Transfer Application Screening Fee

No Unit Owner in GABLES MARQUIS CONDOMINIUM ASSOCIATION, INC. may lease, sell, or transfer a Unit without prior written approval of the Board of Administration.

ISSUE #1

Every application for sale or lease approval shall be accompanied by a non-refundable transfer and applicant screening fee of \$250.00 per adult applicant, including married spouses, plus a \$150.00 annual lease renewal fee.

Section 4: [Article VI, Section 6.5] Annual Budget and Waiver of Statutory Reserves

The Board of Administration of GABLES MARQUIS CONDOMINIUM ASSOCIATION, INC. shall establish reserve accounts for roof replacement, building painting, pavement resurfacing, and structural elements; provided, however, that the Unit Owners may, by a simple majority vote at a duly called membership meeting, vote to waive or reduce the funding of all statutory reserves for the upcoming fiscal year.

Section 5: [Article XIV, Section 14.3] Fines, Suspensions, and Assessment Lien Enforcement

The Board of Administration shall have the power to impose a fine of up to \$200.00 per violation per day against any Unit Owner, tenant, or guest after five (5) days' written notice from the Board without a committee hearing. Any unpaid fine levied by the Board shall constitute a continuing lien against the Condominium Unit enforceable by foreclosure in the same manner as unpaid common expense assessments.

Section 6: [Rules & Regulations, Rule 9] Official Records Inspection and Copying Restrictions

Unit Owners of GABLES MARQUIS CONDOMINIUM ASSOCIATION, INC. requesting to inspect Official Records must submit a written request by certified mail. The Association shall make records available for inspection within thirty (30) working days of receipt. Unit Owners are limited to one (1) inspection request per calendar month, and the use of cell phones, cameras, or portable scanning devices to photograph Official Records is strictly prohibited.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article XII, Section 12.2 (p. 1): Screening/transfer fee of \$250 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:

Lease & Transfer Application Screening Fee - No Unit Owner in GABLES MARQUIS CONDOMINIUM ASSOCIATION, INC. may lease, sell, or transfer a Unit without prior written approval of the Board of Administration. Every application for sale or lease approval shall be accompanied by a non-refundable transfer and applicant screening fee of \$250.00 per adult applicant, including married spouses, plus a \$150.00 annual lease renewal fee.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Lease & Transfer Application Screening Fee - No Unit Owner in GABLES MARQUIS CONDOMINIUM ASSOCIATION, INC. may lease, sell, or transfer a Unit without prior written approval of the Board of Administration. Every application for sale or lease approval shall be accompanied by a non-refundable transfer and applicant screening fee of \$150 per adult applicant, including married spouses, plus a \$150.00 annual lease renewal fee.