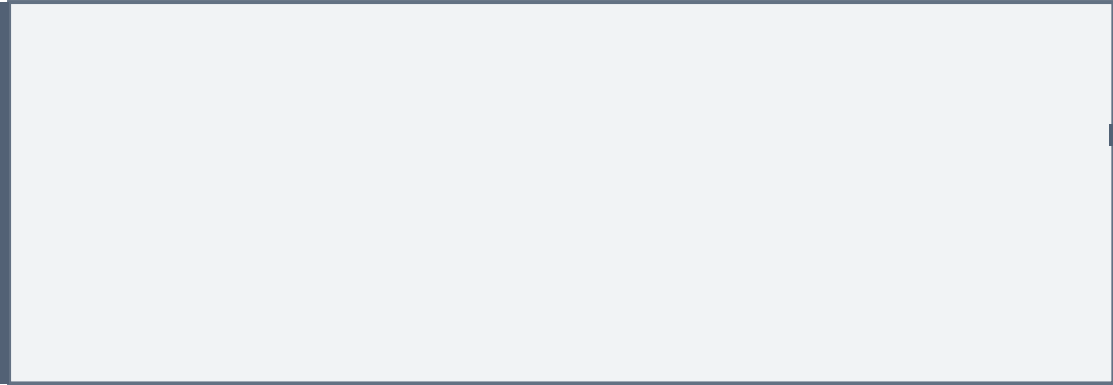


Section 11.1.4 - Sample Provision Excerpt (Public Preview)

reasonable monetary fines which shall constitute a lien upon the violator's Property Unit, to the extent allowed by law, and suspension of the right to vote and to use any Common Areas including, without limitation, any Recreational Facilities within the Common Areas; provided, however, nothing herein shall authorize the limitation of ingress or egress to or from a Property Unit, nor authorize the limitation of use of the Drainage Areas for purposes of surface water management, if not in violation of the terms of...

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 11.1.4 (p. 82): HOA clause permits placing a lien on a parcel for unpaid fines without the statutory \$1,000 minimum threshold.
Statutory / Legal Reference: Fla. Stat. § 720.305(2)
Statutory Comparison: Under Fla. Stat. § 720.305(2), a fine of less than \$1,000 may not become a lien against a parcel.

CURRENT WORDING IN DOCUMENT:
reasonable monetary fines which shall constitute a lien upon the violator's Property Unit, to the extent allowed by law, and suspension of the right to vote and to use any Common Areas including, without limitation, any Recreational Facilities within the Common Areas; provided, however, nothing herein shall authorize the limitation of ingress or egress to or from a Property Unit, nor authorize the limitation of use of the Drainage Areas for purposes of surface water management, if not in violation of the terms of...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
reasonable monetary fines which shall constitute a lien upon the violator's Property Unit, to the extent allowed by law, and suspension of the right to vote and to use any Common Areas including, without limitation, any Recreational Facilities within the Common Areas; provided, however, nothing herein shall authorize the limitation of ingress or egress to or from a Property Unit, nor authorize the limitation of use of the Drainage Areas for purposes of surface water management, if not in violation of the terms of such use and applicable permits. [MANDATORY STATUTORY THRESHOLD]: Pursuant to Fla. Stat.