### 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 I, Section 1.3] Submission Statement and Governing Law

The Developer hereby submits the land and improvements known as LES JARDINS OF SOUTH BEACH CONDOMINIUM ASSOCIATION, INC. located in Miami Beach, Florida, to the condominium form of ownership and use pursuant to Chapter 718, Florida Statutes (the Florida Condominium Act), as it exists on the date of recording of this Declaration.

### Section 4: [Article XI, Section 11.4] Delinquent Assessments, Interest, and Late Charges

Assessments and installments on such assessments not paid within ten (10) days from the date when they are due shall bear interest at the rate of twenty-four percent (24%) per annum from the due date until paid, and shall incur an administrative late fee of $75.00 or ten percent (10%) of the delinquent installment. If an assessment remains unpaid for fifteen (15) days, the Association may immediately record a claim of lien and foreclose the lien without further notice.

### Section 5: [Article III, Section 3.6] Notice of Annual and Special Unit Owner Meetings

Written notice of the Annual Meeting and all Special Meetings of the Unit Owners of LES JARDINS OF SOUTH BEACH CONDOMINIUM ASSOCIATION, INC. shall be mailed or ISSUE #1 ed to each Unit Owner not less than seven (7) days prior to the date of the meeting. Regular meetings of the Board of Directors shall be held monthly at such time and place as the Board determines without notice to Unit Owners.

### Section 6: [Rules & Regulations, Section 14] Parking Garage and Electric Vehicle Charging Prohibition

To prevent electrical overload in the parking garage of LES JARDINS OF SOUTH BEACH CONDOMINIUM ASSOCIATION, INC., electric vehicle charging stations and EV chargers are strictly prohibited and shall not be installed within any assigned parking space or limited common element parking area under any circumstances.

MARKUP #1 ->



MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

**Sec. Article III, Section 3.6 (p. 1): Bylaw provision permits regular meetings of the Board of Directors to be held "without notice," violating the mandatory 48-hour open board meeting notice requirement under Fla. Stat. § 718.112(2)(c)1.**

**Statutory / Legal Reference: Fla. Stat. § 718.112(2)(c)1**

Statutory Comparison: Under Fla. Stat. § 718.112(2)(c)1, all meetings of the board of directors must be open to all members and notices of all board meetings (specifically identifying agenda items) must be posted in a conspicuous place in the community at least 48 continuous hours in advance of the meeting (except in an emergency).

**CURRENT WORDING IN DOCUMENT:**

Notice of Annual and Special Unit Owner Meetings - Written notice of the Annual Meeting and all Special Meetings of the Unit Owners of LES JARDINS OF SOUTH BEACH CONDOMINIUM ASSOCIATION, INC. shall be mailed or hand-delivered to each Unit Owner not less than seven (7) days prior to the date of the meeting. Regular meetings of the Board of Directors shall be held monthly at such time and place as the Board determines without notice to Unit Owners.

**SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):**

**Notwithstanding the foregoing, pursuant to Fla. Stat. § 718.112(2)(c)1, notice of every regular or special meeting of the Board of Directors (including the agenda) shall be posted conspicuously in the community at least forty-eight (48) continuous hours in advance of the meeting.**