

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 11.7] Board Discretion to Reject Sales or Leases Without Purchase Obligation

The Board of Directors may disapprove any proposed sale or lease of a Unit in its absolute discretion without stating any cause and without any obligation to provide a substitute purchaser or lessee, and every applicant must pay a non-refundable \$250.00 application fee.

ISSUE #1

Section 4: [Article IV, Section 4.6] Adoption of Budget Exceeding 115% Without Unit Owner Reconsideration

The Board of Administration shall have sole authority to adopt an annual budget increasing assessments by any percentage over the prior year, including increases exceeding one hundred fifteen percent (115%), without mailing twenty-fourteen (14) days' advance notice and without any right of Unit Owners to call a special meeting to adopt a substitute budget.

Section 5: [Article VII, Section 7.5] Execution of Management and Maintenance Contracts Without Competitive Bids

The Board of Directors may enter into management, security, and maintenance contracts of any dollar amount and for terms of up to ten (10) years with automatic multi-year renewals, including contracts with entities owned by sitting Directors, without obtaining competitive bids or disclosing financial interests to the membership.

Section 6: [Rule 8.5] Prohibition on Unit Owner Hurricane Protection and Window Upgrades

Unit Owners are strictly prohibited from installing impact-resistant windows, exterior storm shutters, or hurricane protection panels on any window or balcony opening.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article XI, Section 11.7 (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:

Board Discretion to Reject Sales or Leases Without Purchase Obligation - The Board of Directors may disapprove any proposed sale or lease of a Unit in its absolute discretion without stating any cause and without any obligation to provide a substitute purchaser or lessee, and every applicant must pay a non-refundable \$250.00 application fee.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Board Discretion to Reject Sales or Leases Without Purchase Obligation - The Board of Directors may disapprove any proposed sale or lease of a Unit in its absolute discretion without stating any cause and without any obligation to provide a substitute purchaser or lessee, and every applicant must pay a non-refundable \$150 application fee.