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 15.2] Sale and Lease Application Fees and Mandatory Security Deposit

Every prospective purchaser or tenant shall pay a non-refundable application and screening fee of three hundred dollars ($300.00) per adult applicant, an annual lease renewal fee of one hundred fifty dollars ($150.00), and a common element damage deposit equal to two (2) months' rent.

ISSUE #1

Section 4: [Article VI, Section 6.3] Waiver of Structural Reserves and Annual Financial Statements

The Board of Administration may by majority vote of the Directors waive the funding of all reserve accounts - including roof, structural, and paving reserves - and waive the preparation of compiled, reviewed, or audited financial statements for as many consecutive years as the Board deems appropriate.

Section 5: [Article X, Section 10.2] Fining and Common Element Suspension by Property Manager

The Property Manager, with the concurrence of the Board President, may levy fines of up to one hundred fifty dollars ($150.00) per day and deactivate a resident's parking gate barcode immediately upon issuing a violation notice, without a hearing before an independent fining committee.

Section 6: [Rule 9.4] Prohibition on Unit Door Mezuzahs, Flags, and Impact Shutters

Nothing may be affixed to any exterior Unit entry door or door frame, including religious symbols or mezuzahs, no flags may be displayed from balconies, and no exterior hurricane shutters may be installed without unanimous Board approval.

MARKUP #1 ->

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

Sec. Article XV, Section 15.2 (p. 1): Screening/transfer fee of $300 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:
Sale and Lease Application Fees and Mandatory Security Deposit - Every prospective purchaser or tenant shall pay a non-refundable application and screening fee of three hundred dollars ($300.00) per adult applicant, an annual lease renewal fee of one hundred fifty dollars ($150.00), and a common element damage deposit equal to two (2) months' rent.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Sale and Lease Application Fees and Mandatory Security Deposit - Every prospective purchaser or tenant shall pay a non-refundable application and screening fee of three hundred dollars ($150) per adult applicant, an annual lease renewal fee of one hundred fifty dollars ($150.00), and a common element damage deposit equal to two (2) months' rent.