

Revelations at Bird Lakes HOA - Declaration & Governing Covenants - Page 1

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 VII, Section 7.3] Commercial and Personal Truck Driveway Ban

No pickup truck, dual-wheel truck, van, or work vehicle shall be parked on any driveway or swale area overnight. The Association is authorized to boot or tow any offending vehicle from an Owner's private driveway without prior judicial process.

Section 4: [Article IX, Section 9.5] Mandatory Lease Approval and Screening Fee

No Owner may lease a home without prior written Board approval and payment of a \$250.00 non-refundable tenant screening fee per adult occupant. The Board may deny any lease application in its sole discretion without stating a reason.

Section 5: [Article XI, Section 11.4] Fines and Lien Enforcement

The Board of Directors may impose fines up to \$100.00 per day up to \$5,000.00 upon seven (7) days' notice. Any unpaid fine of \$100.00 or more shall be treated as an assessment and secured by a continuing lien on the Lot enforceable by foreclosure.

Section 6: [Article VII, Section 7.12] Florida-Friendly Landscaping Prohibition

All front lawns must be maintained exclusively in St. Augustine sod. Artificial turf, xeriscaping, stone mulch beds exceeding ten percent (10%) of the yard, and native groundcovers in lieu of sod are prohibited.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article IX, Section 9.5 (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:

Mandatory Lease Approval and Screening Fee - No Owner may lease a home without prior written Board approval and payment of a \$250.00 non-refundable tenant screening fee per adult occupant. The Board may deny any lease application in its sole discretion without stating a reason.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Mandatory Lease Approval and Screening Fee - No Owner may lease a home without prior written Board approval and payment of a \$150 non-refundable tenant screening fee per adult occupant. The Board may deny any lease application in its sole discretion without stating a reason.

ISSUE #1