

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 XII, Section 12.6] Transfer Screening Fee and Mandatory Interview Deposit

Every application for approval of a sale, transfer, or lease of a Condominium Unit shall be accompanied by a non-refundable screening fee of two hundred fifty dollars (\$250.00) per adult applicant, plus an administrative processing fee of one hundred fifty dollars (\$150.00) upon any lease renewal.

ISSUE #1

Section 4: [Article VI, Section 6.2] Waiver of Structural Reserves and Commingling of Reserve Accounts

The Board of Administration is authorized to commingle all reserve funds with regular operating funds in a single bank account and to waive funding for structural integrity reserve items - including roof, load-bearing walls, and electrical systems - by simple majority vote of the Board of Directors.

Section 5: [Article X, Section 10.4] Board-Only Disciplinary Fines Without Fining Committee

Fines of up to one hundred fifty dollars (\$150.00) per day with no aggregate cap may be levied directly by the Board of Administration upon five (5) days' notice to the Unit Owner or tenant, without review or approval by an independent committee of Unit Owners.

Section 6: [Rule 9.1] Official Records Inspection Fee and 30-Day Waiting Period

Any Unit Owner wishing to inspect the Official Records of the Association must pay an administrative search fee of one hundred dollars (\$100.00) in advance and allow up to thirty (30) business days for the Association to schedule the inspection.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article XII, Section 12.6 (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:

Transfer Screening Fee and Mandatory Interview Deposit - Every application for approval of a sale, transfer, or lease of a Condominium Unit shall be accompanied by a non-refundable screening fee of two hundred fifty dollars (\$250.00) per adult applicant, plus an administrative processing fee of one hundred fifty dollars (\$150.00) upon any lease renewal.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Transfer Screening Fee and Mandatory Interview Deposit - Every application for approval of a sale, transfer, or lease of a Condominium Unit shall be accompanied by a non-refundable screening fee of two hundred fifty dollars (\$150) per adult applicant, plus an administrative processing fee of one hundred fifty dollars (\$150.00) upon any lease renewal.