

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 12.4] Prohibition on Individual Hurricane Shutters and Impact Windows

No Unit Owner may install exterior hurricane shutters, storm panels, or impact-resistant windows or doors without the prior written consent of all members of the Board of Administration, which may be denied solely on aesthetic grounds.

Section 4: [Article III, Section 3.8] Use of General Proxies in Elections and Reserve Waivers

Unit Owners may vote by general proxy on all matters coming before any annual or special meeting, including the election of Directors and the waiver or reduction of reserve funding, and no secret ballot or limited proxy form shall be required.

Section 5: [Article VIII, Section 8.4] Immediate Suspension of Common Facilities and Voting Rights

The Board of Directors may immediately suspend the voting rights, parking privileges, and laundry room access of any Unit Owner who is more than ten (10) days delinquent in the payment of any fee or assessment or who violates any Rule, without a fourteen-day notice or independent committee hearing.

Section 6: [Rule 7.3] Non-Refundable Lease Application and Renewal Fees

Every prospective purchaser or tenant must pay a non-refundable screening fee of two hundred fifty dollars (\$250.00) per adult applicant, and every Unit Owner renewing an existing lease must pay an annual renewal fee of one hundred fifty dollars (\$150.00).

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Rule 7.3 (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:

Non-Refundable Lease Application and Renewal Fees - Every prospective purchaser or tenant must pay a non-refundable screening fee of two hundred fifty dollars (\$250.00) per adult applicant, and every Unit Owner renewing an existing lease must pay an annual renewal fee of one hundred fifty dollars (\$150.00).

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Non-Refundable Lease Application and Renewal Fees - Every prospective purchaser or tenant must pay a non-refundable screening fee of two hundred fifty dollars (\$150) per adult applicant, and every Unit Owner renewing an existing lease must pay an annual renewal fee of one hundred fifty dollars (\$150.00).

ISSUE #1