

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 11.4] Application and Transfer Fee Schedule

Any Unit Owner desiring to sell or lease a Unit in THE LEXINGTON CONDOMINIUM shall submit a completed application to the Board together with a non-refundable application fee of \$300.00 per prospective purchaser or lessee to cover credit and background investigation costs.

ISSUE #1

Section 4: [Article VII, Section 7.3] Pooled Reserve Account Administration

All Association reserves for THE LEXINGTON CONDOMINIUM, including all structural and non-structural components, roof, plumbing, electrical, exterior painting, waterproofing, and amenity deck items, may be commingled in a single pooled reserve account for all capital repairs upon approval of the Board of Directors.

Section 5: [Article X, Section 10.4] Board Authority to Levy Fines and Hearing Committee

The Board of Administration of THE LEXINGTON CONDOMINIUM has the power to fine any Unit Owner for violation of the Declaration, Bylaws, or House Rules upon five (5) days notice. One or more directors may serve on the hearing committee, and the committee's recommendation is advisory only and the Board may override the committee by majority vote.

Section 6: [Rule 9.1] Official Records Inspection and Copying

Official records of THE LEXINGTON CONDOMINIUM shall be made available for inspection by a Unit Owner within thirty (30) working days after receipt of a written request submitted to the Management Office. Photographing or scanning Association official records with a cell phone, tablet, or portable device is prohibited during inspection.

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. Article XI, Section 11.4 (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:

Application and Transfer Fee Schedule - Any Unit Owner desiring to sell or lease a Unit in THE LEXINGTON CONDOMINIUM shall submit a completed application to the Board together with a non-refundable application fee of \$300.00 per prospective purchaser or lessee to cover credit and background investigation costs.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Application and Transfer Fee Schedule - Any Unit Owner desiring to sell or lease a Unit in THE LEXINGTON CONDOMINIUM shall submit a completed application to the Board together with a non-refundable application fee of \$150 per prospective purchaser or lessee to cover credit and background investigation costs.