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] Transfer and Lease Approval Fee

No Unit Owner may sell or lease a Unit without paying a non-refundable $350.00 transfer and background screening fee to the Association, plus $175.00 for any lease renewal or extension.

Section 4: [Article VIII, Section 8.6] Hurricane Protection and Impact Glass Installation

ISSUE #1

Unit Owners are prohibited from installing exterior hurricane shutters or impact-resistant windows unless the Board of Administration approves the installation by unanimous vote, and no credit shall be given against future building-wide window assessments for Unit Owners who previously installed impact glass.

Section 5: [Article XVI, Section 16.2] Fining Limits and Assessment Lien

The Board of Administration may impose fines up to $250.00 per day up to $5,000.00 aggregate upon ten (10) days' written notice, and any unpaid fine shall be enforceable as a lien against the Condominium Unit.

Section 6: [Article IV, Section 4.8] Director Elections by General Proxy

Members of the Board of Administration shall be elected at the Annual Meeting by votes cast in person or by general or limited proxy submitted to the Secretary at least forty-eight (48) hours before the meeting.

MARKUP #1 ->

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

Sec. Article XII, Section 12.4 (p. 1): Screening/transfer fee of $350 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 and Lease Approval Fee - No Unit Owner may sell or lease a Unit without paying a non-refundable $350.00 transfer and background screening fee to the Association, plus $175.00 for any lease renewal or extension.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Transfer and Lease Approval Fee - No Unit Owner may sell or lease a Unit without paying a non-refundable $150 transfer and background screening fee to the Association, plus $175.00 for any lease renewal or extension.