

Section 8. "ARC" shall mean an architectural review committee appointed in accordance with Article V, whose duties shall be as set forth in Article V.

Section 9. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Property.

Section 10. "Member" shall mean and refer to any Owner who is a member of the Association.

Section 11. "Subassociation Member" shall mean and refer to any owner who is a member of a Subassociation.

Section 12. "Subdivision Community" shall mean and refer to Stockbridge Planned Unit Development as platted on the Property or additions thereto as provided for in Article IX, Sections 4 and 5, hereinafter.

Section 13. "Additional Phase" shall mean and refer to phases of Stockbridge Planned Unit Development platted subsequent to Unit One of Stockbridge Planned Unit Development.

ARTICLE II

PROPERTY RIGHTS

Section 1. Owner's Easements of Enjoyment. Every Owner shall have a right and easement of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every Lot, subject to the following provisions:

(a) The right of the Master Association to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Area, if any;

(b) The right of the Master Association to suspend the voting rights of an Owner for any period during which any assessment against his Lot remains unpaid; and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations.

(c) The right of the Master Association to dedicate or transfer all or any part of the Common Area to any

Sec. 1. (p. 5): Governing document purports to suspend a Member's voting rights for any unpaid assessment or covenant/rule violation without meeting the statutory threshold of more than \$1,000 AND more than 90 days delinquent under Fla. Stat. § 720.305(4).

Statutory / Legal Reference: Fla. Stat. § 720.305(4)

Statutory Comparison: Under Fla. Stat. § 720.305(4), an association may suspend the voting rights of a unit or parcel or member only for the nonpayment of a fee, fine, or other monetary obligation due to the association that is more than \$1,000 AND more than 90 days delinquent, and such suspension must be approved by the Board at a properly noticed Board meeting with proof of such monetary obligation provided to the owner 30 days before the suspension takes effect. Voting rights may never be suspended for non-monetary rule violations or minor assessment delinquencies of \$1,000 or less.

CURRENT WORDING IN DOCUMENT:

(b) The right of the Master Association to suspend the voting rights of an Owner for any period during which any assessment against his Lot remains unpaid; and for a period not to exceed sixty (60) days for any infraction of its published rules and regulations.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 720.305(4), a Member's voting rights may be suspended by the Board of Directors at a duly noticed Board meeting only if the Member is delinquent in the payment of a monetary obligation due to the Association of more than \$1,000 AND more than ninety (90) days past due, following at least thirty (30) days' written notice of such monetary obligation. Voting rights shall not be suspended for non-monetary covenant or rule infractions.