

HOA VIOLATION NOTICE AND ENFORCEMENT PROCEDURE

Step 1: Courtesy Contact – Day 1

Purpose: Inform the member of a potential violation and allow voluntary compliance.

- A **Courtesy Contact** is made to the HOA member on **Day 1** after the violation is observed.
 - The notice describes the alleged violation and references the applicable HOA rule or standard.
 - The notice is informational and non-punitive.
 - The member is encouraged to correct the issue promptly, notify HOA promptly when corrections have been made and to contact the HOA with any questions or clarification.
 - No fines are assessed at this stage.
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Step 2: First Formal Violation Notice – Day 8

Purpose: Provide official notice that the violation remains unresolved.

If the violation has not been corrected within seven (7) days, a **First Formal Violation Notice** is issued on **Day 8**. The Notice will be sent via Certified USPS mail.

- The notice states that the violation remains uncorrected and provides a clear description of the required corrective action and is a (Notice of Intent to fine)
 - The member is given **fourteen (14) additional days** to bring the property into compliance.
 - Member is to Notify the HOA promptly when the violations have been corrected
 - The notice advises that failure to comply may result in fines and further enforcement action in accordance with the HOA's governing documents and Florida Statutes
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Step 3: Second (Final) Formal Violation Notice – Day 28

Purpose: Notify the member of enforcement action and fine assessment.

If the violation remains unresolved after the 14-day correction period, a **Second (Final) Formal Violation Notice** is sent on **Day 28**. The Notice will be sent via Certified USPS mail.

- The notice informs the member that no corrective action has been taken, if correction have been made the HOA is to be promptly notified of the corrections

- The notice states that fines will be assessed as follows:
 - **Fine Amount:** \$100 per day commencing **DAY 35**
 - **Maximum Duration:** 10 days
 - **Maximum Total Fine:** \$1,000
 - Fines begin upon receipt of the Final Formal Violation Notice if the violation remains uncorrected.
 - The notice advises the member of their right to a hearing.
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Step 4: Hearing Scheduling – 30 Days After Final Notice

Purpose: Provide due process prior to or in connection with fine enforcement.

- A compliance hearing is scheduled **thirty (30) days after issuance of the Final Formal Violation Notice.**
 - The hearing allows the member to present information, evidence, or testimony regarding the violation or fines.
 - The Compliance Committee will uphold or reject the proposed fines and notify the Board of the same
 - Following the hearing, the HOA Board will determine whether fines are confirmed, modified, or waived in accordance with the governing documents and applicable law.
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Recordkeeping

- All notices, photographs, communications, and hearing outcomes are documented and retained in the HOA records.
 - Dates of notices and member responses are logged to ensure consistent and fair enforcement.
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Adopted by: _____

HOA Name: _____

Effective Date: _____