

Bahia Lakes

HOMEOWNERS' ASSOCIATION, INC.

Bahia Lakes Violation Enforcement Policy

The principles of Bahia Lakes are to strive to maintain and enhance property values and foster a sense of community.

In order to achieve these principles, the HOA Board of Directors (BOD) has adopted the following policy for the use and good of the community. This policy will be enforced by the management company, Qualified Property Management, Inc., who will conduct routine on-site inspections to assess compliance with the community's governing documents as part of the enforcement process.

This policy does not replace the Declaration, Articles of Incorporation, or Bylaws, which remain the ultimate governing documents for the Association. It is the duty of the BOD, on behalf of the Association, to ensure enforcement of the Use Restrictions, and to enact reasonable rules and policies to ensure member compliance with the documents. Membership in the Association is mandatory and not voluntary. All homeowners shall comply with the documents, rules and policies.

This document is published for homeowners' awareness and to establish a baseline for conformance. NOTE: All homeowners should have received a set of governing documents from the homebuilder, title company, or previous owner prior to closing on the sale of the property. The documents can also be viewed or downloaded by visiting the [official community website at:](https://www.bahialakeshoa.org/documents.html)

<https://www.bahialakeshoa.org/documents.html>

Violations are grouped in Five (5) Categories, based on the required cure time; Immediate Action (SAFETY), Immediate Action (5 Days), 7 Days, 14 Days, and 28 Days. Each category is processed on different escalation timelines, the following schedule will apply to homeowners / tenants found in violation of the Use Restrictions:

1) Immediate Action Required (SAFETY)

Types: (These examples are representative and do not constitute a complete list.)

- o Parking - Street or Sidewalk
- o Parking – Boat/Trailer or Trailer
- o Parking – Unauthorized Areas

Processing for Immediate Action Required (SAFETY):

First Notice – sent regular mail

Written correspondence will be sent via certified mail to the homeowner and tenant (if applicable) of a violation requesting Immediate Action compliance. The following schedule of correction dates will be used for the first notice. (These examples are representative and do not constitute a complete list.)

Fine Letter – sent certified Mail

Written correspondence will be sent via certified mail to the homeowner and tenant in violation that a fine will be levied. The BOD has the authority to levy a fine up to \$100 per day (\$1,000 in the aggregate), per violation. The homeowner will be advised that they may request an opportunity to appear in front of the Grievance (Fining) Committee if they so choose.

Note: A Fine of \$1,000 or greater may result in a lien against the property.

2) Immediate Action Required (5 Days)

Types: (These examples are representative and do not constitute a complete list.)

- o Trash Cans in Public View
- o Unauthorized Signs or Flags
- o Trash or Debris visible to public

Processing for Immediate Action Required (5 Days):

First Notice – sent regular mail

Written correspondence will be sent regular mail to the homeowner and tenant (if applicable) of a violation requesting Immediate Action compliance. The following schedule of correction dates will be used for the first notice.

(These examples are representative and do not constitute a complete list.)

Final Notice to Cure – sent certified mail

Written correspondence will be sent certified and regular mail to the homeowner and tenant (if applicable) of a violation requesting compliance. Final notices will indicate that if compliance is not obtained within five (5) days, they will be subject to abatement, a fine, and/or referred to the Association's attorney.

Fine Letter – sent certified mail

Written correspondence will be sent via certified and regular mail to the homeowner in violation that a fine will be levied. The BOD has the authority to levy a fine up to \$100 per day (\$1,000 in the aggregate), per violation. The homeowner will be advised that they may request an opportunity to appear in front of the Grievance (Fining) Committee if they so choose.

Note: A Fine of \$1,000 or greater may result in a lien against the property.

3) 7 Days to Cure

Types: (These examples are representative and do not constitute a complete list.)

- o Routine Lawn Maintenance (mow, edge, trim, etc.),

Processing for 7 Days to Cure:

First Notice – sent regular mail

Written correspondence will be sent regular mail to the homeowner and tenant (if applicable) of a violation requesting Immediate Action compliance. The following schedule of correction dates will be used for the first notice.

Final Notice to Cure – sent certified and regular mail

Written correspondence will be sent certified and regular mail to the homeowner and tenant (if applicable) of a violation requesting compliance. Final notices will indicate that if compliance is not obtained within seven (7) days, they will be subject to abatement, a fine, and/or referred to the Association's attorney.

Fine Letter – sent certified mail

Written correspondence will be sent via certified and regular mail to the homeowner in violation that a fine will be levied. The BOD has the authority to levy a fine up to \$100 per day (\$1,000 in the aggregate), per violation. Homeowners will be advised that they may request an opportunity to appear in front of the Grievance (Fining) Committee if they choose.

4) 14 Days to Cure

Types: (These examples are representative and do not constitute a complete list.)

- o Architectural Alteration Violations (work already started/completed without approval)
- o Specialized Lawn Maintenance (treat turf weeds, replace dead plants, etc.),
- o Pressure Washing.

Processing for 14 Days to Cure:

First Notice – sent regular mail

Written correspondence will be sent regular mail to the homeowner and tenant (if applicable) of a violation requesting Immediate Action compliance. The following schedule of correction dates will be used for the first notice.

Final Notice to Cure – sent certified and regular mail

Written correspondence will be sent certified and regular mail to the homeowner and tenant (if applicable) of a violation requesting compliance. Final notices will indicate that if compliance is not obtained within fourteen (14) days, they will be subject to abatement, a fine, and/or referred to the Association's attorney.

Fine Letter – sent certified mail

Written correspondence will be sent via certified and regular mail to the homeowner in violation that a fine will be levied. The BOD has the authority to levy a fine up to \$100 per day (\$1,000 in the aggregate), per violation. Homeowner will be advised that they may request an opportunity to appear in front of the Grievance (Fining) Committee if they choose.

5) 28 Days to Cure

Types: (These examples are representative and do not constitute a complete list.)

- o Sod Replacement
- o Replace Mailbox
- o Paint House

Processing for 28 Days to Cure:

First Notice – sent regular mail

Written correspondence will be sent regular mail to the homeowner and tenant (if applicable) of a violation requesting Immediate Action compliance. The following schedule of correction dates will be used for the first notice. (These examples are representative and do not constitute a complete list.)

Final Notice to Cure – sent regular mail

Written correspondence will be sent certified and regular mail to the homeowner and tenant (if applicable) of a violation requesting compliance. Final notices will indicate that if compliance is not obtained within fourteen (14) days, they will be subject to abatement, a fine, and/or referred to the Association's attorney.

If compliance is not obtained per the above schedule, proceed to the final notice. If home appears vacant, proceed to abatement letter

Fine Letter – sent certified mail

Written correspondence will be sent via certified and regular mail to the homeowner in violation that a fine will be levied. The BOD has the authority to levy a fine up to \$100 per day (\$1,000 in the aggregate), per violation. Homeowner will be advised that they may request an opportunity to appear in front of the Grievance (Fining) Committee if they so choose.

Note: A Fine of \$1,000 or greater may result in a lien against the property.

Additionally, the BOD may find it necessary to utilize additional letters, identified below:

Abatement Letter – sent certified mail (sent in lieu of final notice) If home appears vacant, the Board may choose to proceed with an abatement letter. Written correspondence will be sent via certified and regular mail to the homeowner of a violation requesting compliance. The abatement letter will indicate that if compliance is not obtained within fourteen (14) days, the Association may enter on to the property and perform the necessary work. The owner will be billed for whatever service is required.

Final Notice Letter – sent by Attorney certified and regular mail If the board deems necessary. Written correspondence from the Association's Attorney will be sent via certified mail and regular mail to the homeowner advising them that their property is still in violation and must be corrected within 10 days to avoid legal action. Legal fees incurred by the Association will be assessed to the homeowner.

Homeowner Responses - If you receive a letter from the Association and you wish to respond, you may send your written response directly to the Association via email to Mike Mycz at MikeM@qualifiedproperty.com or by mail to:

Bahia Lakes Homeowners Association, Inc.

1301 Seminole Blvd. Suite #110

Largo, FL 33770

This Use Restriction Enforcement Policy represents the typical/standard course of action to be taken by the Association. This policy does not limit the Association in taking alternative corrective actions in matters requiring immediate attention, or matters requiring more tailored attention.

This Use Restriction Enforcement Policy was adopted by the HOA Board of Directors the 1st day of February 2016, and is reflected in the minutes of the Association.