

# *Portofino Bay Property Owners' Association, Inc.*

## **VIOLATION POLICY**

The Board of Directors of the Portofino Bay Property Owners Association has developed a violation policy based on the Association's documents and applicable Florida Statutes. It is the intent of the Board to have a fair policy, which considers both individual situation and the community at large. The following constitutes the Association's procedures regarding violations:

- During an Inspection by Management Company and / or Report of Violation by a Board of Director, an infringement of the Declaration of Covenants, Restrictions and Easements is noticed. Management Company will issue a First Courtesy Notice via U.S. Postal Service First Class Mail allowing the homeowner thirty (30) days to cure said violation or fourteen (14) days to request an Arbitration Meeting if the homeowner feels that the violation is not warranted.
- **IF** the homeowner requests an Arbitration Meeting (in writing), Management Company will abide by the "Grievance Committee Procedures". All Arbitration Meetings will take place on the 3<sup>rd</sup> Wednesday of each month at the City of Homestead City Hall @ 7:00 PM (prior to Portofino Bay's Community Meeting unless meeting time and / or location is changed in the future). Arbitration Meeting will only occur if cases are pending.
- After the 1<sup>st</sup> Violation Notice is Issued, Management Company will entertain extensions by the homeowners (normally 30 days for minor violations and 90 days for major violations i.e. paint home). Management Company will only extend compliance date once per pending violation; thereafter, all future requests on same violation will be requested through the Board of Directors.
- Upon 1<sup>st</sup> re-inspection by Management Company (approx thirty days after violation is initially issued), Management Company will either "Close" the violation or re-issue a 2<sup>nd</sup> Violation Notice via U.S. Postal Service Certified Mail / Return Receipt Requested with accompanying \$50 Fine Assessment.
- Upon 2<sup>nd</sup> re-inspection by Management Company (approx sixty days after violation was initially issued), Management Company will either "Close" the violation or re-issue a 3<sup>rd</sup> Violation Notice via U.S. Postal Service First Class Mail with accompanying \$100 Fine Assessment.
- Upon 3<sup>rd</sup> re-inspection by Management Company (approx ninety days after violation was initially issued) Management Company will either "Close" the violation or Send the Property Owner to the Association's Attorney to pursue compliance.

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Once the matter has been turned over for compliance, all future correspondence MUST be directed to the Association's attorney. The homeowner will be responsible for all costs associated with the compliance of Violation related to the Declaration of Covenants, Restrictions, and Easements. Once again, communication is critical in maintaining a balance between the rights of the individual and the community. Please take care of your responsibility for payment promptly.

## **PARKING POLICY**

- 1<sup>st</sup> Notice – Courtesy Paper Notice - Management Company will record date, location, make & model of vehicle, and license tag number.
- 2<sup>nd</sup> Notice – Courtesy Paper Notice noted “2<sup>nd</sup> Notice” - Management Company will record date, location, make & model of vehicle, and license tag number.
- 3<sup>rd</sup> Notice – Sticker Notice on Automobiles Driver's Side Window – Management Company will record date, location, make & model of vehicle, and license tag number. In addition Management Company will take a photograph of said vehicle and issue a violation if Property Owner can be determined.
- 4<sup>th</sup> Notice - Sticker Notice on Automobiles Driver's Side Window – Management Company will record date, location, make & model of vehicle, and license tag number. In addition Management Company will take a photograph of said vehicle and issue a violation with \$50 Fine Assessment if Property Owner can be determined.
- 5<sup>th</sup> Notice - Sticker Notice on Automobiles Driver's Side Window – Management Company will record date, location, make & model of vehicle, and license tag number. In addition Management Company will take a photograph of said vehicle and issue a violation with \$100 Fine Assessment if Property Owner can be determined.
- 6<sup>th</sup> Notice – Management Company will request the vehicle to be towed from the Community by a Licensed and Insured Towing Company hired by the Association.