

CHARTER
OF
COVENANTS ENFORCEMENT COMMITTEE
DEERCREEK COUNTRY CLUB OWNERS ASSOCIATION, INC.

WHEREAS, Article XIII, Section 1 of the Deercreek Country Club Declaration of Covenants, Conditions, Restrictions, and Easements, provides for the imposition of fines for noncompliance with Covenant restrictions and all rules and regulations adopted pursuant to it including without limitation, those established or to be established by the ARB or by the Association; and,

Whereas, Florida Statute 720.305 (formerly 617.305) states, “if the governing documents so provide, an association may suspend, for a reasonable period of time, the rights of a member or a member’s tenants, guests or invitees. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$1,000 in the aggregate unless otherwise provided in the governing documents.”; and,

Whereas, Florida statute 720.305 (formerly 617.305) further states, “A fine or suspension may not be imposed without notice of at least 14 days to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board, who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.”; and,

NOW THEREFORE, LET IT BE RESOLVED, that there be a standing committee chartered as a Covenants Enforcement Committee. That it be established for the purpose of hearing arguments why a fine should not be imposed, that this committee perform its duties within the guidelines set forth by Florida statute 720.305 (formerly 617.305) and Article XIII of the **Declaration of Covenants and Restrictions for Deercreek Country Club Owners Association**, using administrative procedures provided by the Covenant Enforcement Guide as adopted by Deercreek Country Club Owners Board of Directors, and shall have the following responsibilities and authority:

FIRST: To conduct hearings for the purpose of levying fines against appropriate Owners for violations of the Covenants or Rules and Regulations established by the Association.

SECOND: The Committee shall periodically review all policies and procedures as it pertains to the Covenant and Rules enforcement and shall make recommendations to the Board of Directors.

THIRD: The Committee shall consist of at least Seven (7) members. One (1) as Chairperson and One (1) as Secretary to the Committee.

FOURTH: The Committee Chairperson shall be responsible for ensuring that the Association's management company is consistently and equally enforcing the Associations Rules and Covenants.

FIFTH: A budget must be submitted to the Finance Committee as required.

SIXTH: The Committee shall perform its duties in accordance with the provisions of the Resolution of the "Committees Generally".

Revised April 2008

Reviewed June 1, 2008

