

# *Fairfield at Boca Homeowners Association*

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Dear Fairfield at Boca Owner,

The Master Association Board of Directors has been working over the course of several years to update and improve the Association's recorded documents. First and most important, the Declaration of Covenants was drafted by the Developer more than thirty years ago. Florida law has changed significantly and therefore in order for the Declaration to be relevant and enforceable it must be updated.

In addition, the Master Association Board has been approached numerous times by homeowners, Sub-Association Board members and others with questions on how the Master Association could assist them with a problem they have in the community. The Developer included many of the regulations which affect the operation and appearance of Fairfield in the Declarations of the Sub-Associations. No method was provided to mediate any dispute among any of the Sub-Associations. For that reason, the Board investigated various items that could be included in an amended declaration to provide uniformity within Fairfield, such as restrictions on vehicles, renting, pets, as well as polices for ARB approval, etc.

Based upon extensive input from Sub-Association Presidents and numerous homeowners as well, it became apparent that many in the community were uncomfortable with the Master Association prevailing over the governance of the community as a whole. Therefore, a clause (The Supremacy Clause) was incorporated into the new Declaration which preserves a Sub-Association's Authority to govern over matters pertaining to their Association. If there is a conflict between the Master and a Sub-Association's documents, the Sub-Association takes priority. If for any reason, a Sub-Association Documents are silent on a particular matter, or if a Sub-Association does not act, at that point the Master Association documents could be used for enforcement if needed.

A final revised set of the proposed Amended and Restated Declaration has been prepared and is ready to be voted on by the members of Fairfield. This final draft has the support of the Board of the Master Association. The Master Board would like to strongly encourage each member to review the proposed document in its entirety. The proposed document is available online at [www.fairfieldatbocahoa.com](http://www.fairfieldatbocahoa.com). If you feel that the improvements are in the best interest of all the members of Fairfield at Boca, please speak up and let your Sub-Association Board members know you would like them to vote in favor of the changes. All Sub-Association Presidents are in receipt of this information and should be able to discuss any questions, comments, concerns or issues. There will be a Special Meeting of the Members on Thursday, June 28, 2018 to vote on this matter. Any members that would like to attend are welcomed.

The following are the major goals of the new Association Documents:

1. The Master Association is responsible for the recreation areas, the lake, the drainage system, irrigation and street lighting throughout the community. The roadways throughout the community are private and must be maintained by the community. The Master Association is responsible for and has the obligation to maintain approximately one third of our roadways. The various Sub Associations are responsible for roadways in their respective areas. At this time, all of the roadways are in need of resurfacing. It is impractical to do this on a piecemeal basis. This Amendment assigns the responsibility of roadway

maintenance to the Master Association. Because of the significant differences in quantity of roadway surfaces within the Sub Associations, it is only equitable that the cost of the maintenance be allocated based upon the surface area within each Sub Association.

2. In recent years there has been a significant increase in the number of renters with the community. In an effort to limit the continued growth of investor owned units within the community a period of ownership before a home may be rented has been included.
3. In a further effort to allow the community to be aware of who is accessing, visiting or living within our community we have included regulations re: residency, leasing and guests. These were included to prevent unapproved roommates and transient rentals which have become problematic with the rise of Airbnb, vrbo, etc. Generally, these provisions exclude family members.
4. Currently, the Master Association has several operating fees in place; an application fee allows the administrative costs of new owners/renters to be absorbed by them and not the community, a refundable security deposit for renters is collected in the event of damage to the common areas and/or fine implementation [this fee encourages all renters to be on their best behavior and to date has been extremely successful], and there is a fee to rent the clubhouse for private parties that include outside guests. Events hosting only Fairfield residents are not charged. The money collected for the clubhouse rentals is reserved for future upkeep and improvement of the recreation areas.
5. There are currently restrictions on commercial vehicles and trucks within the community. We have clarified those restrictions.

In addition to the information above, for the convenience of the Members, the following provisions have significant adjustments to the Declaration and deserve particular attention:

- Commercial vehicles and trucks - Paragraphs 1.4 and 9.9
- Residency, leasing and guests - Paragraphs 1.11 and Article VIII, Paragraphs 8.2, 8.3, 8.4.3, 8.4.8 and 8.8
- Sub Association Amendments - Paragraph 1.24
- Alterations/Remodeling - Paragraph 7.1.3
- Utility Services - Paragraph 7.1.7
- Roadways not within Association property - Paragraph 7.1.8.1 and Article XIII
- Flags - Paragraph 9.2
- Method of Amendment of Declaration - Article X