

**RESOLUTION ESTABLISHING COMPLIANCE COMMITTEE
AND
CREATING FINING/SUSPENSION PROCEDURES**

HARBOR HOUSE WEST, INC.

WHEREAS, the Harbor House West, Inc. (“Association”) is the corporation charged with the operation, maintenance, and management of the Harbor House West condominium in accordance with its Declaration of Condominium, Articles of Incorporation, Bylaws and Rules and Regulations (collectively referred to as the “Governing Documents”); and

WHEREAS, Section 718.303(3), Florida Statutes (2025) authorizes the Association to levy fines and suspensions against owners, tenants, and guests who violate the provisions of the Association’s Governing Documents; and

WHEREAS, the Association must follow the process described in Section 718.303(3), Florida Statutes, to levy fines and suspensions, which includes creating a Compliance Committee.

NOW, THEREFORE, it is hereby resolved as follows:

1. The above recitations are true and correct and are hereby incorporated into this Resolution.
2. The Compliance Committee (“Committee”) shall consist of no less than three (3) owners 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. The Committee members shall serve at the pleasure of the Board. The Committee members may be removed or replaced on motion of the Board, with or without cause, and documented in the Board’s meeting minutes. The Board has the power to fill vacancies in the Committee and has the power to dissolve the Committee.
3. The Board shall initially address violations through the issuance of a “Notice of Violation,” generally in the form attached to this Resolution as **Exhibit “1”**.
4. If the Notice of Violation does not result in compliance, the Board is authorized to initiate the fining and/or suspension process by holding a special or regular Board meeting to consider levying a specific fine and/or suspension. The Board may, in its discretion, adopt a schedule of fines for certain violations but no fine may exceed the limits imposed in the statute.
5. If at such meeting a majority of the Board votes to levy a fine and/or suspension, the Board shall send written notice of such action to the person(s) against whom the fine and/or suspension is levied along with the date, time, and location of a hearing before the Committee. The written notice must be sent at least 14-days prior to the hearing before the Committee. During the Committee hearing the Committee will consider testimony and evidence from the Association and the person(s) sought to be fined/suspended to determine whether the

Committee will confirm or reject the Board's decision to levy a fine and/or suspension. The written notice shall be in a form generally equivalent to the "Notice of Hearing" attached hereto as **Exhibit "2,"** and shall be sent by certified mail, return receipt requested, with an optional additional copy by regular mail. If a majority of the Committee approves the fine and/or suspension, the fine and/or suspension shall be deemed imposed without further action of the Board.

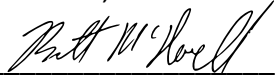
6. Once the fine and/or suspension is imposed, the Board shall deliver a "Notice of Imposition of Fine and/or Suspension" in a form generally equivalent to **Exhibit "3"** attached hereto by mail or hand delivery.

7. A suspension imposed pursuant to this provision shall apply to the use rights in all the Common Elements and facilities, except that such suspension shall not apply to that portion of Common Elements used to provide access or utility services to the Unit and a suspension may not prohibit an Owner or Tenant from vehicular and pedestrian ingress to and egress from the Unit, including, but not limited to, the right to park. Suspensions shall be for a reasonable time, as determined by the Board.

8. General compliance with this Resolution shall be sufficient, it being intended to be used as a guideline to ensure fairness in the fining/suspension process. It is the intention of this Resolution and its exhibits that persons sought to be fined and/or suspended are given a reasonable notice to be heard before the imposition of a fine and/or suspension of use rights. The Board has the authority to disregard the provisions of this Resolution in circumstances where the alleged behavior of a person constitutes a violation of criminal law, or poses a threat to the health, peace, safety, or welfare of the residents of the Community, or in other circumstances where the Association believes such disregard is justified. Compliance with this Resolution and the imposition of fines or suspensions shall not be deemed a prerequisite to the initiation of legal proceedings or other remedies to enforce the Governing Documents.

This Resolution was adopted at the Board of Directors' Meeting held August 21, 2025. There are 3 total Board members. The number of Board members who voted in favor of this Resolution is 3. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

HARBOR HOUSE WEST, INC.

BY: , President

Date: November 13, 2025

(CORPORATE SEAL)

EXHIBIT 1 - NOTICE OF VIOLATION

NOTICE OF VIOLATION

_____ [Date Sent]

FIRST CLASS MAIL

TO: [Owner Address of Record, Name All Record Owners per Deed, if Owner Occupied Unit] or
[Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner-Occupied Unit]

Dear _____

It has been reported that you **[or your tenant(s), guest(s), or invitee(s) as the case may be]** are in violation of the Association's Governing Documents. Specifically, **[Insert violation(s) here including citation to Governing Documents and as much detail as possible as to date(s), time(s) and place(s) of alleged violation(s).]**

Please be advised that you must cure the above-described violation(s) by **[fill in demanded relief here]**. You must comply on or before **[insert number of days or date]**. If you fail or refuse to comply, or if further violations occur, the Association may take further action against you to enforce the Governing Documents. Such legal action may include (but is not limited to): the imposition of a fine and/or suspension of certain use rights to the Common Elements and facilities following a proper notice and opportunity for hearing as required by law; and/or filing a lawsuit for damages and/or an injunction. In the event the Association takes any of the foregoing legal actions, the Association will seek to recover its attorneys' fees and costs as permitted by the Governing Documents and the Florida Condominium Act, Chapter 718 of the Florida Statutes.

[Include this paragraph only if the unit is occupied by a tenant or other person in the absence of the Owner] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents, the Owner is jointly and severally liable for the conduct of his or her tenants, and the occupants of the Unit, as well as their guests, licensees, or invitees. Accordingly, if the violation is not corrected, this letter serves as notice that the Association may also take the above-referenced actions against the Owner(s), either directly, or jointly and severally.

Very truly yours,

[President or Manager] On behalf of the Board of Directors

EXHIBIT 2 – NOTICE OF HEARING

NOTICE OF HEARING

_____ **[Date Sent – Recommended to be sent at least 20 days before hearing]**

CERTIFIED MAIL # [Fill in Tracking Number from Green Card Here]

TO: [Owner Address of Record, Name All Record Owners per Deed, if Owner Occupied Unit] or
[Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner-Occupied Unit]

Dear _____

Section 718.303(3), Florida Statutes ("the statute"), and the Association's Resolution Creating Fining/Suspension Committee ("Compliance Committee") and Adopting Fining/Suspension Procedures authorizes Harbor House West, Inc. ("the Association") to levy reasonable fines against any Owner or any Owner's tenant, guest, or invitee for the failure of the Owner of the Unit or its occupants, licensees, or invitees to comply with any provision of the Governing Documents. Additionally, the statute and the Association's Resolution authorizes the Association to suspend, for a reasonable period, the right of an Owner, or an Owner's tenant, guest, or invitee, to use certain Common Elements and facilities for failure of the Unit Owner or its occupants, licensees, or invitees to comply with any provision of the Governing Documents.

The violation described in the Association's Notice of Violation dated _____, 20____, **copy attached**, has not been corrected and/or has resumed. Accordingly, the Board has levied a fine against you in the amount of [\$ **insert amount of fine based on a set amount or based on \$_____ a day up to a maximum of \$_____**].

[If suspending, use this paragraph] The Association has also **[delete "also" if Association is only suspending and not fining]** suspended your Unit's right to use **[describe those Common Elements or facilities that are being suspended]** for a period of _____ (____) days.

Pursuant to the statute, there will be a hearing before the Compliance Committee on _____ **[day]** _____ **[month and date]** 202__, at _____ **[time]** at _____ **[place, include address]** to determine whether to confirm or reject the fine and/or suspension levied by the Board.

You have a right to attend the hearing to respond, to present evidence, and to provide written or oral argument. You shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. You also have a right to be represented by counsel at the hearing. If you intend to appear with counsel, please notify the Association, in writing, no later than seven (7) days prior to the hearing so that the Association has sufficient time to arrange for its counsel to be present should it choose to do so.

If you fail to appear at the hearing, the fine and/or suspension, if confirmed by the Committee, will be imposed after a hearing has been conducted in your absence. If you have any questions about

scheduling, please contact ***[Association officer or Manager]*** at ***[phone number]*** or ***[e-mail address]***.

In the event the Committee confirms the fine and/or suspension levied by the Board, the fine and/or suspension will be imposed. If the Committee rejects the fine and/or suspension, it will not be imposed. You will receive written notice of any fine and/or suspension imposed.

[Include this paragraph only if Unit is Non-Owner Occupied] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents, the Owner is jointly and severally liable for the conduct of his or her tenants, and the occupants of the Unit, as well as their guests, licensees, or invitees. Accordingly, the fine may also be imposed against the Owner(s), either directly, or jointly and severally. In cases where only a non-Owner (e.g., tenant, occupant, or invitee) is fined, the Owner shall be jointly and severally liable for payment of the fine. ***[Use following suspension sentence, if applicable.]*** Owners shall likewise be suspended from Common Element/facility use during the period of the suspension of a non-Owner. Owners have the right to attend the Committee Hearing.

Very truly yours,

[President or Association Manager]

On behalf of the Board of Directors

EXHIBIT 3

NOTICE OF IMPOSITION OF FINE AND/OR SUSPENSION

_____ [Date Sent]

CERTIFIED MAIL # [Fill in Tracking Number from Green Card Here]

TO: [Owner Address of Record, Name All Record Owners per Deed, if Owner Occupied Unit] or
[Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner-Occupied Unit]

Re: Notice of Violation Dated [Include date and use only if Notice of Violation was given in
advance]; Hearing Held _____, 20____

Dear _____

On _____, 20____ [fill in date of hearing], the Compliance Committee (the "Committee") confirmed the fine levied by the Board in the amount of [\$_____ per day/\$_____ cumulative, be specific], as authorized by law. **[Use only the following sentence where applicable]** The Committee also confirmed to suspend your right to use **[describe the specific portions of the Common Elements or facilities being suspended]** for a period of _____ (____) days, effective _____, 20____.

As such, the Board has imposed a fine in the total amount of \$_____ and/or has imposed the suspension for a period of _____ (____) days, the suspension is effective beginning _____, 20____. **Payment of the fine is due (must be received by the Association) no later than five (5) days after the date of the Committee meeting at which the fine is approved, or five (5) days from the date of this letter, whichever is later.** The suspension applies to all Owners, tenants, occupants, guests, licensees, and invitees.

[Include this paragraph only if Unit is Non-Owner Occupied] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents, the Owner is jointly and severally liable for the conduct of his or her tenants, occupants, guests, licensees, and invitees and for fines and/or suspensions imposed upon them. Accordingly, this Notice serves as notice to the Owner(s) that he/she/they are jointly and severally liable for the payment of the fine.

You may remit payment of the fine to the Association, c/o _____ **[edit as appropriate]**. Checks should be made payable to Harbor House West, Inc., c/o Board of Directors, 226 Golden Gate Point, Sarasota, FL 34236. If you fail to pay the fine, or violate the Association's suspension order, the Association reserves all rights available under law to collect the fine and enforce the suspension. These include (but are not limited to) filing an action in a court of competent jurisdiction to recover the fine and/or enforce the suspension. Pursuant to the Association's

governing documents, the prevailing party in any action to collect a fine is entitled to recover their attorneys' fees from the non-prevailing party. Pursuant to Florida law, the prevailing party in other proceedings is likewise entitled to recover reasonable attorneys' fees and costs.

Thank you for your prompt attention to this matter.

Very truly yours,

[Association President or Manager]

On behalf of the Board of Directors