

September 24, 2024

SERVICE  
USPS Certified Mail #XXXX  
Conspicuously Posted to Door of Unit and Photographed

MR BRYAN SIMMONS  
341 N BIRCH RD, APT 206  
FORT LAUDERDALE, FL 33304-4278

*If Replying, Reply To:  
Matt@AMP-Florida.com*

**RE: NOTICE OF VIOLATION  
NOTICE TO CEASE AND DESIST SMOKING ON CONDOMINIUM  
ASSOCIATION PROPERTY IMMEDIATELY**  
**Association: Fort Lauderdale Yacht & Beach Club Condominium Association, Inc.**  
**Unit: 341 N Birch Rd, Unit/Apartment #206, Fort Lauderdale, FL 33304**  
**(Broward County Folio #5042 01 GF 0100)**

Dear MR SMMONS AND ALL UNKNOWN OCCUPANT(s):

This letter is to advise you that person(s) from your Unit, as listed above, have been witnessed on numerous occasions smoking cigarettes on or near the north-facing balcony outside the Unit, which is owned by you.

Enclosed you will find a copy of an Amendment to the Declaration of Condominium adopted by the Association, executed on April 8, 2019 and effective January 1, 2020. The Association amended its Declaration to include the following new section XIII, which states:

*“Smoking is prohibited in all common areas and limited common areas, such as, but not limited to hallways, balconies, pool areas, grassed areas, parking areas, etc. The use of “electronic” or “vapor cigarettes, cigars, pipes, or similar apparatus are likewise defined as smoking and likewise prohibited in the aforementioned areas. Violators of this rule will be subject to a fine and/or other remedies as provided in the property’s condominium documents. This amendment will become effective on January 1, 2020.”*

Broward County Property Appraiser Records (BCPA.net) show that you purchased your Unit on/about May 9, 2018, so you would have received all notices about this change and be made aware of them, even if you happened to miss the numerous “NO SMOKING” signs clearly posted on/about the Common Areas of the Association.

**REMEDY.** You, your visitors, guests and invitees shall ***immediately*** cease and desist smoking in all common areas and limited common areas as stated in the Amendment to the Association’s Declaration on file with Broward County Records and enclosed herein. If you fail to achieve compliance, the Association will have no choice but to forward the matter to attorneys for further escalation, which may include a lawsuit seeking injunctive relief.

REMINDER. YOU ARE RESPONSIBLE FOR THE CONDUCT OF YOUR VISITORS, GUESTS AND ALL INVITEES. If someone comes to your Unit and smokes, the Association will treat it no differently than if you are the person smoking.

Lastly, the Association does not want to take these actions. It is apparent, however, that this activity has been ongoing for a very long time. There will be no further warnings issued by the Association. All future notice(s) will come from Attorneys for the Association. Please be aware that the Association will pursue, to the maximum legally permissible, all attorneys fee(s) and cost(s) incurred as a result of any further action(s) that become necessary.

We urge you in the ***strongest possible terms*** to immediately have persons from your Unit cease and desist smoke on Association Property. Please conduct yourself accordingly.

FOR THE ASSOCIATION:

/s/ Matt Jelinek

Matt Jelinek as CAM/Manager

FOR: Fort Lauderdale Yacht & Beach Club Condominium Association, Inc.

Association Management Partners, LLC

2436 N Federal Hwy 205

Lighthouse Point, FL 33064-6854

Email: [Matt@AMP-Florida.com](mailto:Matt@AMP-Florida.com)

Phone: (608) 843-4648

CC: Board of Directors via Email, File