

VIOLATION POLICY

Orange Tree Estate Homes Section One Maintenance Association, Inc.

(a) Inspection

Orange Tree Estate Homes Section One Maintenance Association, Inc. ("Association"), through its Board of Directors ("Board") and Community Association manager ("CAM") will perform routine inspections of the community to determine violations of the Declaration of Covenants and Restrictions for Orange Tree Estate Homes (Section One) ("Declaration") and any Rules promulgated under the same (sometimes collectively referred to hereinafter as the Governing Documents").

In addition to the aforesaid routine inspections, the Association, through its board, the CAM and/or any other authorized agent of the Association may inspect and verify any reports of violations of the Governing Documents coming from any members, i.e. owners or residents. Inspections, routine or verification of a report, can be done from the road, sidewalk, common ground, or from a neighbor's property if invited by the respective neighboring owner.

(b) First Violation Notice

Upon determination that a violation of the Governing Documents has been committed, the Association, or its management company, shall mail via regular first-class mail, a First Notice of Violation to the offending owner or non-owner, setting forth a description of the violation, the provisions of the documents on which the violation is based, the action required to cure or resolve the violation, and the timeframe in which to cure the violation (*e.g.*, fourteen (14) days from the date the First Notice of Violation is sent).

(c) Second Violation Notice

If the Owner or non-owner fails, refuses or neglects to cure or resolve the violation in accordance with the First Notice of Violation, the Association shall mail by regular first-class mail a Second Notice of Violation, setting forth a description of the violation, the provision of the documents on which the violation is based, the action required to cure or resolve the violation, the timeframe in which to cure the violation (*e.g.*, fourteen (14) days from the date the Second Notice of Violation is sent) and advising the owner or non-owner if the violation is not cured, the Association may refer the matter to legal counsel, levy fines, or suspend use rights.

(d) Enforcement Actions

If the owner or non-owner fails, refuses or neglects to cure or resolve the violation in accordance with the Final Notice of Violation, the Association may refer the matter to its legal counsel, levy fines, and suspend use privileges.

1. Fines & Suspension of Use Rights

i. Section 720.305, Florida Statutes authorizes the Association to levy fines and suspend use rights for violations of the Governing Documents.

ii. The Board must vote on imposing fines for suspending use rights for violations.

iii. The Notice of the Fine or Suspension must be mailed to the owner advising of the opportunity for a hearing in front of the GAF Committee at least fourteen (14) from the date of

the notice.

iv. The GAF Committee shall be comprised of at least three (3) members who are independent of the Board of Directors. GAF Committee Members must be unrelated and not be living in the same household.

v. After the owner is given an opportunity for a hearing, GAF Committee must accept or reject the fine or suspension imposed by the Board of Directors. The Committee cannot reduce, waive, grant extension or modify the fine or suspension in any way.

vi. The GAF Committee cannot defer its decision nor is it empowered to grant an extension or respond to requests from owners regarding fine payment options. The GAF Committee's sole role is limited to accepting or rejecting the fine or suspension.

vii. If the fine or suspension is rejected, the Board cannot collect the fine or impose the suspension. If the fine or suspension is imposed, the Association shall send a notice to the owner advising of the fine or suspension.

2. Referral to Attorney

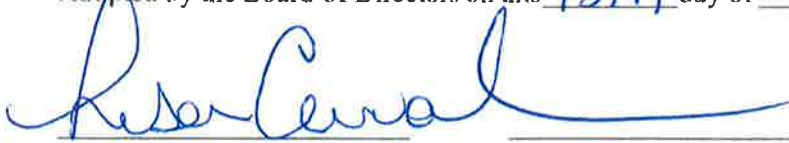
i. If the owner or non-owner fails, refuses or neglects to cure or resolve the violation in accordance with the demand from legal counsel, the legal counsel shall send a Statutory Offer for Pre-Suit Mediation and attend Mediation with an Association representative if the owner responds.

ii. If the owner or non-owner fails to respond to the Statutory Offer for Pre-Suit Mediation and the violation exists and has not been cured, the Association's Board of Directors shall review the matter and make a business decision on whether to direct legal counsel to file a lawsuit to compel compliance.

While the Board of Directors contemplates that the above procedure will be followed for most violations of the Association's covenants and rules, the Board recognized that certain violations, either based on the egregiousness of the violation or the threat the violation poses to the safety and welfare of the Association, may require the Association to deviate from the procedure above and forward the matter directly to the Association's attorney for legal action. Additionally, based on the specific nature of the violations, the Association's Board of Directors may determine that it is in the best interest of the Association to exercise its self-help rights and assess the homeowner for the cost of any such efforts. Any such deviations shall not constitute a waiver of the Association's enforcement rights or selective enforcement of this policy.

The above policy and timeframes are intended to be a guideline and all actions are subject to administrative and processing delays. However, any deviation from this policy shall not constitute a waiver of any rights or remedies of the Association.

Adopted by the Board of Directors on this 15th day of October, 2020.



President

Secretary