

**RIVER WILDERNESS OF BRADENTON FOUNDATION INC.
VIOLATION POLICY**

Pursuant to the authority within Article 2.05 Amended of the Declaration and Florida Statute Chapter 720, the Board of Directors hereby adopts the following Violation Policy, which shall be in effect for the River Wilderness of Bradenton Foundation Inc.

1. Violation: A “violation” refers to any action or condition within the community and/or on the common area that violates any covenant, rule or policy contained within the Foundation's Declaration, Bylaws, Rules & Regulations or Board Policies (collectively, the “governing documents”). A copy of the governing documents can be obtained from the Foundation’s website at - www.rwhoa.org .
2. Violation Procedure:
 - (a) A violation may be identified by Foundation Board Members, residents or the Property Management firm and must be promptly reported to the Foundation’s Property Manager via e-mail: propertymgr@rwhoa.org .
 - (b) Upon identifying and verifying a violation, the Property Manager will provide written notice of the violation to the owner and/or tenant (First Notice) and afford the owner or tenant a reasonable number of days to cure the violation. Owners with violations that may be quickly resolved (such as but not limited to, posting of signs, parking on the grass or streets, visible trash bins) will be afforded 7 days for correction. Owners with other remedial violations (such as but not limited to, painting and cleaning) will be afforded 14 days for correction and may be afforded additional time (if requested) due to vendor scheduling constraints. The First Notice will document the violation, identifying the specific rule that has been violated, and will indicate how the violation may be corrected. The First Notice will indicate that if the violation remains uncured, fines or a suspension may be levied.
 - (c) If the violation is not cured within the timeframe specified by the First Notice, the Property Manager will provide notice of the violation to the owner and/or tenant (Second Notice) and afford the owner or tenant a reasonable number of days (as specified in the First Notice) to cure the violation. The Second Notice will document the violation, identifying the specific rule that has been violated, will indicate how the violation may be corrected and will indicate that if the violation remains uncured, fines or a suspension will be levied.
 - (d) If the violation is not cured within the timeframe specified by the Second Notice, a fine may be levied by the Board of Directors at a duly noticed Board meeting. The owner will receive a Third Notice letter indicating that a daily fine or suspension has been levied, and providing the owner, and if applicable their tenant, with at least 14 days written certified notice of a hearing date before the Fining Committee, at which committee hearing the owner will have an opportunity to present a defense, and the fine will be either affirmed or denied by the Fining Committee. The fine will begin to accrue upon delivery of the Third Notice; however, the fine will not be assessed to the homeowner’s ledger unless and until the Fining Committee votes to approve the fine. The daily fine

amount is a maximum of \$100.00, and fines may accrue for each day of a continued violation up to \$5,000.00.

- (e) The owner will have an opportunity to present evidence regarding the violation and remediation efforts, if any, to the Fining Committee.
- (f) The Fining Committee's role is to accept or reject the fine proposed by the Foundation. If a majority of the Fining Committee approves the proposed fine, the fine shall be placed on the owner's account ledger five (5) days after the hearing, and the Property Management firm shall issue a letter to the owner advising him or her of same.
- (g) If the violation remains uncured after the Fining Committee hearing, the matter may be referred to the Foundation's attorney to initiate litigation, at which point the owner may be responsible for the Foundation's legal fees.
- (h) Depending on the nature and severity of the violation, or in the event of a repeat violation within twelve (12) months, the Board reserves the right to escalate a violation directly to fining and/or to the attorney for litigation at any point.

The above violation policy and time frames 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 Foundation in having violations resolved.

This policy adopted at a meeting of the Board of Directors of the River Wilderness of Bradenton Foundation Inc. on September 15, 2020.

P. DI GIROLAMO

Peter DiGirolamo, President
River Wilderness of Bradenton Foundation, Inc.