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VILLA PORTOFINO WEST PROPERTY OWNERS ASSOCIATION, INC.

**LATE FEES, ADMINISTRATIVE FEES, AND VIOLATIONS FINES POLICIES
& PROCEDURES**

ADOPTED BY THE VILLA PORTOFINO PROPERTY OWNERS ASSOCIATION, INC.'S
BOARD OF DIRECTORS ("THE ASSOCIATION")

Original: FEBRUARY 23, 2018

Revised: JANUARY 7, 2020

INTRODUCTION

The documents governing Villa Portofino West Community and its residents' behavior require that each owner, tenant, and guest comply with the rules and regulations of the association.

Compliance is for the benefit of all owners and residents of the community and the Association has the duty to ensure that all of its rules and regulations are followed and respect.

In order to achieve compliance, The Board of Directors of Villa Portofino West has adopted the following steps related to violation procedures.

Step 1:

To ensure all homeowners have access to the community governing documents posted on Villa Portofino West's website. When a new rule is established by the board of directors, it shall be distributed to all homeowners before it can be enforced. The Association may not levy a fine unless the violation is clearly stated on the governing documents.

Step 2:

Notify the homeowner of the violation via a courtesy notice. The notice must contain a description of the violation, the authority in your governing documents to cite the issue as a violation (As applicable, the violation letter will include a picture of the violation)

Upon receipt of the notice of violation the owner will have either 48 hours, 14 days or 30 days (depending on the type of violation infringed) to submit a written response disputing the violation. If a response is not received, the violation shall be deemed valid.

Step 3:

If the violation has not been corrected within the required timeframe, a second notification will inform the homeowner of the intent to recommend that the Association's Fine Committee levy a fine, stating the reason for the violation and the amount of the fine. The Fine Committee will schedule a hearing with the homeowner, giving no less than fourteen (14) days' notice. It may state in the letter to the homeowner that an alternate time may be scheduled, if not convenient with the homeowner.

Step 4:

If the homeowner does not respond and/or does not respond to the hearing request, the fine will be automatically applied to the account.

Step 5:

After a fine is ratified by the Fine Committee, the On-site Property Manager will send the homeowner the ratification and an invoice for the fine.

Step 6:

If the homeowner does not pay the fine, he/she will be charged \$100.00 per day. When the amount accumulates and reaches \$1,000, the Association will file a lien against the homeowner's property.

LATE FEES

If dues/assessments are not received within **ten (10) days** of the due date, dues/assessments are considered to be delinquent. The member is notified, reminded of the delinquency, asked to make payment arrangements, and informed that a late fee of fifteen (\$15) dollars needs to be paid in conjunction with the monthly assessment and an additional late fee of fifteen (\$15) dollars will be charged if not paid within thirty (30) days of the due date.

If the dues/assessments are not received within **thirty (30) days** of the due date, the On-Site Property Manager, with the authorization of the President, may instruct the HOA attorney to prepare a certified letter notifying the resident that a lien will be filed within seven days of the delivery of the letter. Copies of a sworn detailed statement of delinquent dues/assessments, late fees and invoices shall accompany the letter. If the full amount of the debt is paid, no further action is taken. Failure to pay or make arrangements to pay the debt within the 30 days may also result in legal action being brought against the resident for the full amount of the debt, as well as legal interest, attorney fees and the cost of court filings. There is also an opportunity to dispute the amount claimed due within 30 days.

ADMINISTRATIVE FEES

Association members will be assessed the following items as an additional administrative fee:

A. Application Screening Fees:

- A \$200.00 screening fee is charged for married couples or a parent with a dependent child, payable to Villa Portofino West. Only checks or money orders will be accepted, no cash.
- An additional \$150.00 screening fee for anyone else, 18 years or older living at the same place, unless it is a dependent child (occupants younger than 18 years old do not have to pay the screening fee), payable to Villa Portofino West. Only checks or money orders will be accepted, no cash.
- There is a \$100.00 Processing fee, made payable to Villa Portofino West in the form of a money order or check.

- B. Office Services:
 - Printing/Copies: \$0.25 per page
 - Envelopes: \$0.25 per piece
 - Postage: Reimbursed at actual cost
 - Courier Service: Reimbursed at actual cost
 - Notary Services: \$15 per stamp
 - Checks received: \$3.00 per check submitted without a coupon, or contrary to payment instructions.
 - Other items: Other costs shall be reimbursed at actual costs incurred

- C. Transfer Services:
 - Estoppel Letter: Fee pursuant to Florida Statutes
 - Application for Occupancy: Fee pursuant to Florida Statutes
 - Community Questionnaire: Fee pursuant to Florida Statutes

- D. Delinquency/Violation Notices:
 - Late/ Violation Notice: \$5.00 per Late or Violation Notice printed and delivered to delinquent Members.
 - Final Notice: \$25 per Final Notice printed and delivered to delinquent Members.
 - ATP: \$50 Per Authorization To Proceed prepared and delivered to the Association Attorney. In some cases, the ATP may be an email notice.
 - Legal Monitoring: \$350 For each delinquent Member case/matter active within the Association's attorney legal report.

VIOLATION FINES

People living in the community without approval: These individuals will have 14 days to go through the Association's screening process or an eviction action will be started against such persons.

The Association has the right to terminate the lease upon default by the tenant in observing any of the provisions of the Association's Declaration, Articles of Incorporation, By-Laws, and applicable Rules and Regulations, or of any other agreement, document or instrument governing the lots or dwelling units.

A fine of \$500.00 will be applied

For Sale and For Rent signs: All for Sale/Rent signs must be placed inside the unit window, not in or on the common areas. Only one sign per unit may be posted, no other signs may be displayed. All signs must be removed within one (1) week of sale or lease of the unit.

Signs must be no larger than 12" x 12". Advertising signs for business or commercial activities are prohibited anywhere on the property. This includes windows, doors, garage doors, and patio doors.

A fine of \$100.00 will be applied

Move-in/Move out policy: Residents are allowed to move in or move out Monday through Saturday, between 9:00 A.M. -8:00 P.M. Moving on Sundays is prohibited, NO EXCEPTIONS.

A fine of \$100.00 will be applied

Garage sales: Are **NOT** allowed in our community and/or your property. NO EXCEPTIONS

A fine of \$150.0 will be applied

Guest Policy: Residents are responsible for familiarizing their guests with the rules and regulations pertaining to all of the facilities in the community. Residents are also responsible for any damage incurred by their guests, including attorney's fees trying to recover the monies to repair the damages.

Residents are also responsible for the parking of their guests. If a car is parked incorrectly or illegally it will be towed at the owner's expense. Residents with more vehicles than parking spaces on their property must park at an alternative location of the property or make arrangements with their neighbors. If a resident parks on a vacant unit's property, he/she is parking at his/her own risk of being towed.

Daily guests must be accompanied by their host when using common facilities at all times. NO EXCEPTIONS. Guests who exceed a stay of more than 14 days, must be registered with the Association. The Association has the right to enforce the same protocol followed for tenants deemed unwelcome at the Community.

Pets in the Community: NO animals other than dogs and cats, or other animals reasonably considered to be household pets (e.g. birds, hamsters, etc.), shall be kept anywhere on the property. Nor shall any animal be kept boarded, or maintained for any commercial purpose. Household pets shall not include reptiles, livestock or exotic mammals. All pets must be registered with the Association. NO EXCEPTIONS.

A fine of \$150.0 will be applied

All pets must be leashed when outdoors at all times. No pets are permitted inside the pool and pool deck. Excessive dog barking is not permitted in the community, please consider your neighbor and be courteous.

A fine of \$150.0 will be applied

All pet defecation must be removed immediately from any common areas. Pet stations are available for the convenience of residents within the community. Owners must clean up on their limited common areas (i.e. driveways, backyards, sidewalks and/or street).

A fine of \$250.0 will be applied

Community lakes and wildlife: The water retention lakes/ponds are off-limits to residents and non-residents alike. For safety purposes, fishing, swimming, or playing around the lake is not permitted in our community lakes. Children should not be left unattended around the areas of the lake. Canoes, kayaks, fishing boats are not allowed in the lakes.

A fine of \$100.0 will be applied

At NO time should litter or debris or food be thrown into the lakes. Feeding any wildlife is prohibited. You may NOT toss any food outside of your backyard/patio. This is considered littering and may cause harm to the animals.

A fine of \$100.0 will be applied

Law enforcement, commercial services, and city officials: Off duty city officials and/or service members need to adhere to the gate code policy. If you are a resident expecting guests, they must use the call-in method at the gate. Your guest must follow the same rules. The code provided to you is for on duty and professional use only. Sharing gate codes with friends and/or family is strictly prohibited.

For the security and privacy of our residents, we ask that you adhere to the rules and regulations, by-laws and policies like everyone else. Thank you for your cooperation.

A fine of \$100.00 will be applied

Any company providing a commercial service to a resident in this community MUST be licensed. Unlicensed companies and/or work are strictly prohibited. Any company found working on the premises that do not have the proper licensing or insurance, will be asked to leave premises at the servicing resident's expense. **NO EXCEPTIONS.**

Pool Violations fines:

Violations of pool rules are handled as follows:

- 1st violation: verbal warning.
- 2nd violation on the same day: verbal warning and 30 minutes swim suspension.
- 3rd violation on the same day: the resident will be asked to leave the pool.

Continued violations may result in the suspension of pool privileges. ANY RESIDENT WHO USES THE POOL WHEN IT IS CLOSED WILL RECEIVE AN AUTOMATIC **\$200.00 FINE** FOR THE FIRST OFFENSE AND A ONE WEEK POOL KEY SUSPENSION.

A SECOND OFFENSE RESULTS IN A **\$300.00 FINE** AND A TWO WEEKS POOL KEY SUSPENSION.

A THIRD OFFENSE RESULTS IN A **\$500.00 FINE** AND A PERMANENT REVOKING OF POOL PRIVILEGES.

FINES MUST BE PAID BEFORE THE POOL KEY IS VALID AGAIN.

Landscaping: When doing any landscaping the Homeowner needs to be careful with the sprinkler system, homeowners will be responsible for any repairs to the system.

All requests for the planting of flowers, trees or installation of water fountains, address boxes, benches, rocks, driveways solar lamps, etc. must first be submitted in writing using an Architectural Modification Form for Committee approval (prior to doing any changes on your property).

Pet owners must carry doggie bags or use the pet station baggies to clean up after their pets. NO EXCEPTIONS. No pet shall be tied to any trees, stakes, picnic tables, balconies, cars, garages, etc. at any time. Any damage to the common elements by pets as determined by the Board of Directors will be repaired under the supervision of the Board or Property Management Agent. All costs will be assessed to the unit owner.

A fine of \$100.00 will be applied

NO pets shall be allowed to create a nuisance, unreasonable disturbance, or damage any common or limited common property. Additionally, NO pet shall be allowed to damage the property of any resident or guest.

A fine of \$200.00 will be applied

The Association, will not be responsible for the maintenance of any bushes, plants, trees, shrubbery, flowers, etc., which were not installed by the Developer of the Property Owners Association, even if permission for the planting of such items was approved by the Property Owner's Association. Residents shall not instruct or make demands upon any employee or contractor in the care and maintenance of any landscaping. All complaints and suggestions should be addressed to the property manager in writing.

Patios and porches: BBQ grills, firewood, household furniture, toys and alike are not permitted on the front porches or driveways. Front porches are not allowed to be used as a storage room.

A fine of \$300.00 will be applied

No resident shall display, hang or use any signs, banners or other objects that the Board may deem inappropriate from patios, porches or windows.

Clothing, sheets, blankets, posters, laundry, and similar objects shall not be hung out or exposed on balconies, windows, decks, patios and/or garages. All patios must remain clear and free of any clutter or trash.

A fine of \$100.00 will be applied

Alterations or modifications to your townhome: The right of the Association to establish uniform rules and regulations pertaining to the portions of each lot visible from any portion of the common properties for the purposes of enhancing the aesthetic uniformity of the properties, including, but not limited to, prohibitions against or guidelines for the planting of trees, flowers, hedges and other plants or against the temporary or permanent placement of personal items including awnings, swings, hammocks, toys or other recreational devices.

No alterations of any kind may be made to any part of the common or limited common elements. **Any alterations, additions or improvements whatsoever which changes the appearance of any building, landscaping or common elements must be requested, in writing, by submitting an Architectural Modification Request Form (ACC) to the management company for approval from the Architectural Committee prior to any changes.**

Villa Portofino West POA reserves the right to order any outdoor furniture or grills deemed to be unsightly removed from the property at any time.

Hurricane Shutters: Temporary hurricane shutters are those which are not fully operational at all times but which require the installation of closings of some portion thereof to make them ready for use.

The only hurricane shutters permitted in our community are the ones that the property came with (please maintain in good condition and stored in the designated place where they came with and store in the garage). An ACC form must be submitted for the installation on Accordions.

All panels or accordion shutters may be installed and/or closed no earlier than **72 hours** prior to the declaration of a "Hurricane Warning" and must be removed no later than **48 hours** after the hurricane has left the area.

A fine of \$150.00 will be applied

Trash and recycling pick up: Garbage cans and recycle bins must be out of sight and/or removed from view after pick up day. Place them inside your garage or back yard. **THEY CANNOT BE LEFT IN FRONT/SIDE OF THE UNIT.**

Trash is picked up twice a week and the pick-up days are Tuesdays and Fridays. Residents are required to place their garbage cans at the curve of their driveways, not blocking access to any driveway. Garbage can be put out no earlier than 6:00 pm the evening before collection day; it must be out of sight at all times with the exception of the collection days.

If you are placing your garbage can in your back patio, **it must be kept clean and odorless at all times. Rodent and/or smell problems are NOT permitted to be a disturbing issue with your neighbors, be courteous at all times.**

A fine of \$150.00 will be applied

Christmas and seasonal decorations: Seasonal decorations should not be installed earlier than dates listed below:

- Holiday decorations: November 27th (Thanksgiving Day) of the current year and removed no later than January 10th of the New Year.
- All other Holidays: One (1) week prior to Holiday and removed one (1) week after Holiday.
- NO decorations that create a safety hazard or damage to common areas will be permitted.
- NO outdoor decorations are permitted except for decorations that can be placed on the unit's door, patio or porch.
- NO graffiti is allowed on walls, windows and garage doors. • Holiday lights on bushes/trees are exceptions. Any damage caused by the installation and removal of decorations shall be repaired by the unit owner at his/her expense.

A fine of \$100.00 will be applied

Not- Permitted vehicles: The following vehicles are NOT permitted in our community:

- Hearses and limousines, regardless of use.
- Recreational vehicles, including trailers, campers, mobile homes, boats and trucks with campers attached.
- Tractor cabs and trailers
- Any vehicle is not capable of fitting in the unit's garage.
- Abandoned vehicles, or vehicles on the grounds displaying a "For Sale" sign.
- Non-permitted vehicles are not to park on common or limited common areas.

The following vehicle must be parked inside the owner's garage at all times:

- Any vehicle that is not in working condition.
- Any vehicle not properly licensed.
- Any commercial vehicles.

NO commercial vehicles that have lettering on the vehicles shall park in the community. NO repairs are to be made on any vehicles parked in the community.

- The exception to this rule is flat tires or dead batteries.

Parking is NOT permitted in front of the Clubhouse or mailbox area when using the facilities. Parking spaces are only for checking mail Vehicles will be tagged (stickered) and towed if left there overnight.

Handicap parking must be used for this purpose only; otherwise, vehicles will be towed without prior notification at the owner's expense. Handicap parking is not for residential parking.

In order to enforce the above regulations, the Board of Directors has adopted the following penalties:

- *The first offender to any of the preceding rules will be penalized by applying a sticker to his/ her vehicle.*
- *Repeat offender tagged (stickered) will be towed at the vehicle owner's expense.*

Driving in the community: Safe driving is expected. Speed is NOT to exceed 15 mph. Standard County rules of the road apply in our community at all times.

- NO dirt bikes, ATV's, and go-karts are allowed in our community.
- NO engine revving of any motor vehicles including motorcycles.

Parking: The following is a list of the parking regulations currently in effect. These regulations must be observed by all residents and their guests, their tenants, and the guests of their tenants at all times:

- NO more than three cars (3) per unit area to be parked within the community on a permanent basis. Vehicles must be parked properly and off of the street.
- NO personal vehicles or guest vehicles are allowed to park on the street blocking the incoming or outgoing traffic. NO EXCEPTIONS.
- NO cars are allowed to be parked on any grass area (including the grass in front or besides your property parallel to the street) and/or sidewalks.
- We have to be courteous with all neighbors and try to use your own driveway and garage as much as possible.
- Each unit must register their vehicles with the association. Transponders can be obtained at the management office.
- Motorcycles parked in parking spaces are considered as an automobile and are therefore governed by the same regulations.
- Overnight parking of homeowner's vehicles on the mailbox area or handicap spaces are not allowed. If you have a visitor for longer than 72 hours you must obtain prior approval from the association you can send this request to vpw.management@gmail.com to forward your request for Board approval.

Parking violations: vehicles parked in violation will be stickered immediately they will be given 30 minutes to correct violation if not corrected vehicle will be towed at the owner's expense.

- No parking in the pool area (since everyone that goes in the pool should be a resident or accompanied by a resident, they do not need parking)

- Parking at the mailbox area no more than 10 minutes or will be towed at the owner's expense.

- Cars without tags or with expired tags or not registered with management parked in driveways we will give those 24 hours to correct or vehicle will be towed at the owner's expense.

Commercial Vehicles: No commercial vehicles are allowed to be parked in the driveway or common area of the community. The exception is made for commercial vehicles when doing business with a resident during normal business hours. Additionally, any resident-owned or operated commercial vehicle must be parked inside the resident's garage or off-site.

Vehicles permitted: A fully operable passenger type vehicle that has a valid tag, and is not a commercial vehicle or included in the definition of non-permitted vehicles.

Children and teens in the community: Children, teen's parents, and guests are expected to behave in such a way that does not cause a nuisance to their neighbors. Parents will be held responsible for the actions for their children, teens and guests. For the safety of your children, we ask that they don't roam the property.

All toys, recreation equipment, bicycles, scooters, etc. cannot be left in front of the unit or the common areas after use. Any games or other activities that create a nuisance, damage any Common Elements, or disrupt the peace are prohibited on or in any portion of the Common Elements.

A fine of \$100.00 will be applied

Nuisance: There shall be no sports or leisure activities on any common or limited common areas (specifically the street) that may be destructive to the property or a nuisance to neighboring residents:

- No noise such as television, music or loud outdoor conversation will be permitted at any time in such a manner as to disturb or annoy your neighbors. This is especially before 8:00 a.m. and after 9:00 p.m.
- No loitering past 9:00 P.M. in the community. All garage doors shall remain closed except for access to and from the garage.
- No noxious odors shall be permitted in any dwelling units. **NO COOKING INSIDE OR OUTSIDE THE GARAGES OR IN FRONT OF THE UNIT.**
- Homeowners who keep their dogs in the backyard are responsible for cleaning up all of their pet defecations. It must be removed immediately. Keep in mind that the units are too close to each other and this becomes a nuisance to your neighbor.
- If you go out of town, no pets should be left unattended in the backyard or inside the garage. Continuous barking from your dog becomes a nuisance to your neighbors
- A nuisance will be as determined by the Board of Directors upon receipt of such a complaint.

A fine of \$200.00 will be applied

Fireworks: Due to the overwhelming complaints received by the Board of Directors the board has decided for the safety and precaution of the association has decided to eliminate fireworks. No fireworks shall be ignited in common areas and/or streets. Illegal fireworks or commercial fireworks are strictly prohibited. Please refer to the City of Homestead fireworks ordinance for further information. City of Homestead Fireworks Ordinance Violations for fireworks are handled as follows:

- 1st violation: verbal warning
- 2nd violation on the same day: *resident will be fined \$100.00.*

ENFORCEMENT PROCEDURES

Any member of the Community, upon noticing a violation or repeated violations, or being directly or indirectly affected by the actions of any other members, or be subject to annoyances which in themselves violate any provisions of our Associations, may report their complaint to vpw.management@gmail.com for violations or for general concerns.

Management will contact the person reported to be in violation in order to work out any problems. Failure to correct the violation will necessitate the condominium Association's Board of Directors to enforce the authority granted to them through the fines mentioned above and/or legal proceedings whose costs would be incurred by the unit owner and mentioned next.

COSTS TO BE REIMBURSED TO THE ASSOCIATION

In the event of any offense where costs are incurred by the Association, the owner will be responsible for those costs. This includes but is not limited to Property Damage, personal injury, restoration costs, legal costs and attorney's fees.

****NOTE THE FOLLOWING: ****

- People coming into the community by foot or by bicycle must use side entrance doors with their own keys any person seen coming in through the vehicle entrance without a vehicle will be given a warning and they will have 48 hours to purchase the key. We will let the owner as well as the tenant where applicable that if the key is not purchased we will fine the owners as well as the tenant, *where applicable,*
\$100.00.

- The visitor's gate (entrance) should only be used by visitors, all residents must purchase a transponder per vehicle and attached to the vehicle. If a resident is caught coming in through the visitor's side they will be given a warning and they will have 48 hours to purchase the transponder. We will let the owner as well as the tenant where applicable that if the transponder is not purchased we will fine the owners as well as the tenant, *where applicable,* \$100.00.