

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
LOMA DEL SOL HOMEOWNERS' ASSOCIATION, INC.**

WHEREAS, the Board of Directors ("Board") of Loma Del Sol Homeowners' Association, Inc. ("Loma Del Sol" or "Association"), is obligated and authorized by the Florida Homeowners' Association Act to enforce its governing documents and rules and regulations;

WHEREAS, Section 720.305, Florida Statutes, authorizes Loma Del Sol to levy reasonable fines for the failure to comply with the governing documents and rules;

WHEREAS, the Board deems it necessary to clarify the procedure for exercising this authority;

NOW, THEREFORE, be it resolved by the Board at its duly noticed meeting on July 20, 2024 at which a quorum was present that the following is hereby adopted:

LOMA DEL SOL FINE POLICY

1. Levy of Fine. The Board is authorized, at a duly noticed meeting, following such preliminary notices as it deems advisable, to impose reasonable fines in an amount it shall, in its sole discretion, determine for violations of the governing documents and rules. A fine may not exceed \$100 per violation, except that a fine may be levied for each day of a continuing violation, provided that the fine may not exceed \$1,000 in the aggregate.

2. Hearing Committee. The Board (**check one**):

☐ Hereby appoints _____, _____, and _____, to serve on the Hearing Committee; or

☒ Will, prior to levying a fine, appoint a 3-person Hearing Committee.

Members of the Hearing Committee shall not be officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. The Board may remove and appoint members to the Hearing Committee as it deems necessary.

3. Notice of Levy. If the Board votes to levy a fine, it shall provide written notice to the person against whom the fine is levied by mail or email to the designated address in Loma Del Sol's official records. The notice shall describe the violation, list the action necessary to cure the violation (if applicable), specify the amount of the fine and whether it is recurring and list the date, time and location of a hearing to contest the fine, which shall be at least 14 days after the date of the notice.

4. Hearing to Contest Fine.

a. Anyone against whom a fine is levied has the right to a hearing to contest the fine before the Hearing Committee.

b. The hearing shall be open to all members and notice of the hearing shall be posted in a conspicuous place within the community at least 48 hours in advance.

c. The role of the Hearing Committee is limited to determining whether to confirm or reject the fine levied by the Board. If the Hearing Committee does not approve the proposed fine by majority vote, the fine may not be imposed.

5. Imposition of Fine. The fine levied by the Board is imposed upon approval by the Hearing Committee.

6. Notice of Imposition. Written notice of any fine imposed, in a form approved by the Board, shall be furnished by the Hearing Committee to the person against whom the fine is imposed by mail or email to the designated address in Loma Del Sol's official records. The notice shall describe the violation, list the action necessary to cure the violation (if applicable), specify the fine amount and whether it is recurring and identify the date(s) that payment is due and the address to which payment should be delivered.

7. Personal Obligation, Interest & Lien. It is the personal obligation of each person against whom a fine is imposed to pay the fine amount. Fines not paid when due shall bear interest at 18% per annum. Unpaid fines may be secured by liens pursuant to applicable law.

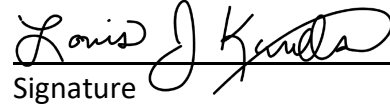
8. Notice of Resolution. If a violation for which a fine is levied or imposed is resolved, the person against whom a fine is levied or imposed shall immediately provide written notice thereof to Loma Del Sol.

9. Remedies. The Board has sole discretion to waive or delay the imposition of all or part of any fine on a case-by-case basis. The failure of Loma Del Sol to levy, impose or collect a fine in any given situation does not waive the right to do so in the future for the same or a similar violation. Loma Del Sol may elect from among its numerous remedies to address a violation.

THE UNDERSIGNED, on behalf of Loma Del Sol, hereby certifies that the resolution and fine procedure set forth above have been duly approved by the Board of Directors.

DATED this 20 day of July, 2024.

**Loma Del Sol Homeowners'
Association, Inc.**


Signature

Louis J. Karellas

Printed Name

President

Position