

Prepared By:
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**FINING POLICY
AS ADOPTED BY THE BOARD OF DIRECTORS
OF
HERNANDO BEACH SOUTH PROPERTY OWNERS ASSOCIATION, INC.**

The Board of Directors shall have the power to appoint a Covenant Enforcement Committee which shall be charged with determining whether a member, or such member's tenant, guest, or invitee, is violating, or has violated, any of the provisions of the Declaration, the Articles of Incorporation, the By-Laws, or the Rules and Regulations of the Association. The Committee shall be composed of at least three members who are not directors, officers, or employees of the Association or a spouse, parent, child, brother, or sister of a director, officer or employee of the Association.

The Board of Directors shall provide written notice to the person alleged to be in violation (and the Owner of the Lot, if the person in violation is not the Owner), of the specific nature of the violation, including a statement setting forth the provisions of the documents allegedly violated, and advising of an opportunity for a hearing before the Covenant Enforcement Committee no less than fourteen (14) days after the date of the notice. The notice shall state the date, time and place of the hearing. At the hearing, the Covenant Enforcement Committee may determine whether to impose a fine up to One Hundred Dollars per day (\$100.00) per incident and not to exceed One Thousand Dollars (\$1,000.00) per incident.

If the violation involves parking and/or maintaining an RV/Boat, addressed at paragraph 5 of the Modification and Restatement of Restrictions Agreements for Hernando Beach, Unit 13-B and Unit 13-C and/or if the violation involves making an alteration on the lot without first obtaining the approval of such alteration from the Association as required in paragraph 1 of the Modification and Restatement of Restrictions Agreements for Hernando Beach, Unit 13-B and Unit 13-C, the Board hereby creates as an exception to the above considerations that it shall be the standing policy of the Association that a \$100 per day fine shall be recommended to the Covenant Enforcement Committee without prior written notice of the violation. The owner shall still be notified in writing of the offense and the date for an opportunity for a hearing before the Covenant Enforcement Committee, but this provision is to clarify that management or other authorized representative is permitted to levy such fine without a vote of the Board of Directors.

If the Covenant Enforcement Committee determines it is proper to adopt a fine, the fine will be due and payable within five (5) days from the date of the meeting where the fine was adopted.

A fine pursuant to this section shall be assessed against the Owner of the Lot that the offending party occupied or was visiting at the time of the violation, whether or not he or she is an Owner of that Lot, and shall be promptly paid to the Association by the Owner(s) of that Lot. The outstanding fine shall be a personal obligation of the Owner. In any action to recover a fine, the prevailing party shall be entitled to collect its reasonable attorney's fees and costs incurred in recovering the fine from the non-prevailing party.

Nothing herein shall be construed as a precondition or a prohibition or a limitation on the right of the Board of Directors to pursue other means to enforce the provisions of the Declaration, the Articles of Incorporation, the By-Laws, or the Rules and Regulations of the Association, including, but not limited to, legal action for damages or injunctive relief.

IN WITNESS WHEREOF, HERNANDO BEACH SOUTH PROPERTY OWNERS ASSOCIATION, INC. has caused this Fining Policy to be executed in accordance with the authority hereinabove expressed this 14 day of September, 2023.

HERNANDO BEACH SOUTH PROPERTY OWNERS ASSOCIATION, INC.

(Corporate Seal)

By: [Signature]
STUART STURM, as President
Printed Name

ATTEST:

[Signature]
H. Denise Prior, Secretary Treasurer
Printed Name

STATE OF FLORIDA
COUNTY OF ~~PASCAGO~~ HERNANDO

The foregoing instrument was acknowledged before me this 14 day of September, 2023 by Stuart Sturm, as President, and H. Denise Prior, as Secretary, of HERNANDO BEACH SOUTH PROPERTY OWNERS ASSOCIATION, INC., a Florida-not for profit corporation, on behalf of the corporation. They are personally known to me or have produced _____ as identification.

[Signature]
NOTARY PUBLIC
State of Florida at Large
My Commission Expires: