

This instrument prepared by:  
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(561) 623-2576

**CERTIFICATE OF RECORDING BOARD RESOLUTION ESTABLISHING A  
PROCEDURE FOR ENFORCEMENT OF RESTRICTIONS, RULES AND  
REGULATIONS, AND FINING/SUSPENSION POLICY FOR  
WINDSOR PARK AT ABACOA HOMEOWNERS ASSOCIATION, INC.**

We hereby certify that pursuant to the Declaration of Covenant, Conditions, and Restrictions for Windsor Park recorded in Official Records Book 23593, Page 1287 of the public records of Palm Beach County, Florida ("Declaration"), Articles of Incorporation, and the Bylaws, the Resolution of the Board of Directors of Windsor Park at Abacoa Homeowner's Association, Inc. attached as Exhibit "A," was duly adopted and approved by a majority vote of the Board of Directors at a duly noticed meeting of the Board. This Resolution establishes a Procedure for Enforcement of Restrictions, Rules and Regulations, and a Fining/Suspension Policy of the Declaration and other governing documents.

As to witnesses:

WINDSOR PARK AT ABACOA  
HOMEOWNERS ASSOCIATION, INC.

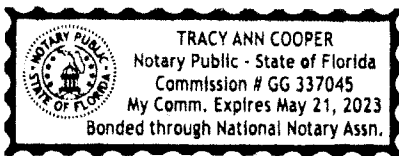
Patrick Klint  
Witness: Patrick Klint

By: Bruce Romond  
Bruce Romond, President

Karen A Redmond  
Witness: Karen A Redmond

STATE OF FLORIDA            )  
COUNTY OF PALM BEACH    )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on December 17<sup>th</sup>, 2020, by BRUCE ROMOND, as President of the Windsor Park at Abacoa Homeowners Association, Inc., who executed same on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.



Tracy Cooper  
Notary Public, State of Florida  
Tracy Cooper  
Print Name  
My Commission Expires: 5/21/23

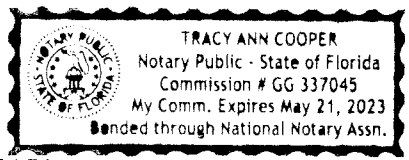
[Signature]  
Witness: TRIGOMEZ

By: [Signature]  
Tim Tenaglia, Secretary

[Signature]  
Witness: Laura Charles

STATE OF FLORIDA                    )  
COUNTY OF PALM BEACH         )

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization on December 17<sup>th</sup>, 2020, by TIM TENAGLIA, as Secretary of the Windsor Park at Abacoa Homeowners Association, Inc., who executed same on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.



(SEAL)

[Signature]  
Notary Public, State of Florida  
[Signature]  
Print Name  
My Commission Expires: 5/21/2023

Exhibit "A"

RESOLUTION OF THE BOARD OF DIRECTORS OF WINDSOR PARK AT ABACOA  
HOMEOWNER'S ASSOCIATION, INC.

**WHEREAS**, a duly noticed meeting of the Board of Directors for the Windsor Park at Abacoa Homeowner's Association, Inc. ("Association") was held on November 15, 2020 and a quorum of the directors were present at said meeting;

**WHEREAS**, the Board of Directors is conferred with the authority to adopt reasonable rules and regulations governing the operation of the Association pursuant to the rule-making authority outlined in the Association's Declaration of Covenants, Conditions, and Restrictions, Articles of Incorporation, Bylaws, and Rules and Regulations ("Governing Documents");

**WHEREAS**, the Board of Directors is authorized pursuant to Florida Statutes and its Governing Documents to impose penalties, including fines of \$100.00 per day per violation and suspensions of rights to use the Association's common areas, against any Owner, or that Owner's family members, tenants, invitees, or guests for non-compliance with the Governing Documents;

**WHEREAS**, the Board of Directors in furtherance of its efforts to protect the general welfare and maintain the aesthetics of the Windsor Park Community, has determined that it is in the best interests of the Association and its members to implement a fair, uniform, and consistent procedure for handling complaints, violations, and non-compliance of the Governing Documents;

**WHEREAS**, the Board of Directors has determined that it is in the best interests of the Association and its members to establish a uniform schedule of penalties for complaints, violations, and non-compliance for common violations of the Governing Documents without the necessity of a formal Board of Directors meeting to consider levying a fine or suspension;

**NOW THEREFORE, it is RESOLVED that**, the Board of Directors for Association shall adopt the attached Procedure for Enforcement of Restrictions, Rules and Regulations, and Fining Suspension Policy, which shall apply to all Owners, their family members, tenants, invitees, and guests. The Enforcement Procedure and Policy is attached to this Resolution as Exhibit "1."

**It is further RESOLVED that**, the Enforcement Procedure and Policy shall supersede in its entirety all previously adopted policies concerning covenant enforcement, fining, and/or suspensions.

Adopted on: November 15, 2020

By: 

For the Board of Directors

Printed Name: Bruce Romond

**Exhibit "1"**

**WINDSOR PARK AT ABACOA HOMEOWNERS ASSOCIATION, INC.**

**PROCEDURE FOR ENFORCEMENT OF RESTRICTIONS, RULES AND  
REGULATIONS, AND FINING/SUSPENSION POLICY**

Adopted by the Board on November 15, 2020

The Board of Directors ("Board") for the Windsor Park at Abacoa Homeowners Association, Inc. ("Association") hereby establishes the following Procedure for Enforcement of Restrictions, Rules and Regulations and Fining/Suspension Policy ("Enforcement Procedure and Policy") for resolution of complaints, approval of fines, suspension of rights, and other penalties for non-compliance and violations of the Association's Declaration of Covenants, Conditions, and Restrictions, Bylaws, Articles of Incorporation, and Rules and Regulations ("Governing Documents").

This Enforcement Procedure and Policy supersedes in its entirety the Procedure for Enforcement of Restrictions, Rules and Regulations adopted by the Board on March 31, 2016 and all previously adopted policies concerning the covenant enforcement process and related fining and/or suspension of rights of owners, their family members, tenants, invitees, and guests.

This Enforcement Procedure and Policy has been adopted and approved by the Board pursuant to its authority under Chapter 720, Florida Statutes and the Governing Documents. This Enforcement Procedure and Policy may be amended by the Board at a duly noticed Board meeting held in accordance with the Governing Documents.

**I. PURPOSE**

The purpose of this Enforcement Procedure and Policy is to provide a fair and uniform procedure for handling complaints and violations of the Governing Documents and to establish a consistent schedule of penalties for non-compliance. This policy is intended to protect the general welfare and maintain the aesthetics of the Windsor Park community. The Association encourages all Owners, their family members, tenants, invitees, and guests to maintain their property and ensure compliance with all community restrictions.

**II. COMPLAINT/ REPORTING VIOLATIONS**

The Association shall create a written complaint for any alleged violation or non-compliance of the Governing Documents reported to the Association by a resident, director, or found by management during a routine inspection of the community or other investigation. The complaint should include the property address of the resident in violation, the alleged violation, the date of the violation, and a photo of the violation, if possible. Residents may submit complaints in email format to the property manager.

Any member of the Board of Directors, the President, or property manager are authorized

to receive and review complaints and/or reported violations, perform inspections, and recommend enforcement action based on the approved schedule of violations and penalties established in this Enforcement Procedure and Policy. A recommendation by the President, any director, or the property manager shall be deemed a Board action to levy a fine, suspension, or other penalty pursuant to Section 720.305 Florida Statutes.

### **III. ENFORCEMENT PROCESS**

1. **Authority:** The Board hereby adopts the following uniform fine and suspension rates and duration for specific violations as set forth in the Schedule of Standard Fines and Suspension included in this policy. The Board delegates the authority to the President, any director, or the property manager to levy and recommend the appropriate and commensurate fine and/or suspension to the Compliance Committee for imposition. The President, any director or the property manager are hereby authorized to perform property inspections and follow-up inspections as may be necessary to determine whether a violation has been remedied or not. The Compliance Committee will assist with the enforcement process as set forth in this policy.

2. **Procedure:** After an alleged violation or complaint is reported to the Association or is found following a routine inspection of the community, the Association shall provide written notice to the Owner of the property (and when applicable, tenants and/or guests) of the non-compliance, violation, or complaint as outlined in Section 3 below. For those violations that may be cured within a fifteen (15) day time frame, the Association shall provide time for the Owner (and when applicable, tenants and/or guests) to cure before the designated director, President, or property manager levies the fine per day or suspension outlined in the Schedule. For those violations specified in the Schedule, the designated director, President, or property manager may levy a fine or suspension after the first occurrence and on a per occurrence basis thereafter for any repeat offenses. The Association shall send a second letter as provided by Section 3 below advising that a penalty has been levied in accordance with the Schedule and shall provide the Owner with an opportunity to appear at a hearing before the Compliance Committee to approve or reject the levied penalty. The Compliance Committee shall be governed in accordance with Article IV of this policy.

3. **Notices:**

a. **First Notice/Letter:** The Association shall provide written notice to the Owner (and when applicable, tenants and/or guests) identifying the non-compliance, violation, or complaint and providing a period of fifteen (15) days to correct the violation. The notice shall be sent via regular mail and via certified mail, return receipt requested. The Association may elect to provide an additional copy of the notice to the Owner via email. This notice shall satisfy the notice requirements for violations as provided in Article V, Section 2(Y) of the Declaration. The Association may provide additional predetermined amount of time to comply in its sole discretion; provided however, that no notice shall be required in the event of an emergency that threatens the health, safety, welfare of the Association's residents, property, or an Owner's lot. The Association will re-inspect the Owner's property to determine if the violation has been cured. If it has been cured the matter will be considered resolved. If the matter is not cured and/or if the violation is of a continuing nature or on an occurrence basis as provided in the below Schedule,

the designated director, President, or property manager shall proceed with levying the applicable penalty per the Schedule and issue the second letter as provided in Section b.

b. Second Notice/letter: The Association shall provide a second written notice to the Owner (and when applicable, tenants and/or guests) identifying the levied fine, suspension, or other penalty in accordance with the Schedule and informing the Owner (and when applicable, tenants and/or guests) of a right to a hearing in front of the Compliance Committee. The notice shall be sent via regular mail and via certified mail, return receipt requested. The Association may elect to provide an additional copy of the notice to the Owner via email. The notice shall provide at least fourteen (14) days notice of the Compliance Committee’s meeting date, time, and location. The Compliance Committee shall approve or reject the levied penalty by majority vote at the designated meeting as provided in Article IV of this Policy.

4. Schedule of Standard Fines and Suspensions: The following Schedule of Standard Fines and Suspensions is hereby adopted by the Board. This Schedule has been established to make the penalty process uniform, fair, and consistent. This Schedule may be amended at any time by the Board, but the Compliance Committee shall not have any authority to alter the Schedule. If the conduct or violation is not covered by the below Schedule, the Board will hold a duly noticed meeting to vote to approve a proposed fine, suspension or penalty and then the matter will be referred to the Compliance Committee for imposition of the penalty.

<b>Violation/Complaint</b>	<b>Fine Per Day (Suspension may also be imposed)</b>
Landscaping maintenance	\$100 per day if not resolved by deadline in First Notice
Leaving out trash cans or recycle bins	First Occurrence- warning only \$100 per occurrence thereafter
Leaving out personal property items in view	First Occurrence- warning only \$100 per occurrence thereafter
Parking Violation	\$100 per day per violation Additional Violations: \$100 per day up to a maximum of \$1000
Violation of Clubhouse or Gym Rules	\$100 First Occurrence \$100 per occurrence thereafter -and- Suspension from amenities for 30 days
Violation of Pool Rules	\$100 First Occurrence \$100 per occurrence thereafter -and- Suspension from amenities for 30 days
Failing to clean up pet waste	\$100 First Occurrence \$100 per occurrence thereafter
Allowing pet to roam off leash	\$100 First Occurrence \$100 per occurrence thereafter
Property Alteration or Improvement without Association approval	\$100 per day per violation Additional Violations: \$100 per day up to a maximum of \$1000
Emergency violation threatening the health, safety, or welfare of the Association’s residents or property	Immediate suspension from amenities \$100 per day per violation Association may also exercise self-help as provided in the Declaration for property violations

In addition to the fines provided in the above Schedule, the Board may suspend for a

reasonable amount of time the right of an Owner, family member, tenant, invitee, or guest to use the Clubhouse, Pool, or Gym for the failure of an Owner, family member, tenant, invitee, or guest to comply with any provision of the Governing Documents. The suspension may be for a period of time determined reasonable by the recommending President, Director, or property manager as applicable. The suspension may not prohibit an Owner or tenant from having vehicular and pedestrian access to and from the property and the right to park. In the event of an emergency that threatens the health, safety, welfare of the Association's residents, property, or an Owner's lot, the Board may immediately suspend the right of an Owner, family member, tenant, invitee, or guest to use the Clubhouse, Pool, or Gym without the involvement of the Compliance Committee.

5. Additional Remedies: This Enforcement Procedure and Policy is not intended to be the exclusive remedy for addressing violations and non-compliance matters, but shall be in addition to all other remedies provided by the Governing Documents and Florida law, including the right to initiate legal action and/or pre-arbitration proceedings. Notwithstanding anything in this Enforcement Procedure to the contrary, the Board of Directors may refer any violation of the Governing Documents for legal action at any time. An Owner who is in violation shall be responsible for all attorney's fees and costs as provided in the Governing Documents, whether or not lawsuit is filed. The Board is further authorized to suspend use of common areas and/or voting rights based on any Owner's failure to pay fees, fines, or other monetary obligations to the Association for more than 90 days at a noticed Board meeting and without the involvement of the Compliance Committee.

6. Payment of Fees and Costs: If the Association incurs any expense to enforce this Enforcement Policy and Procedure and/or to collect unpaid fines, the attorney's fees and costs of collection to do so shall be chargeable to the Owner of the property, in addition to being charged to the family member, tenant, invitee, or guest who committed the violation of the Governing Documents. The charge for any expenses to enforce this Policy shall be deemed an assessment and collectible in the same manner as an assessment as provided in the Declaration of Covenants, Conditions, and Restrictions for Windsor Park.

#### IV. COMPLIANCE COMMITTEE

1. Appointment: The Board shall establish and appoint an independent Compliance Committee ("CC") consisting of at least three (3), but no more than five (5) full-time resident members, none of whom are Board Members or employees of the Association, or who are related to Board members or employees. The Committee shall designate a Chairperson from among the members of the CC.

2. Meetings: The CC shall conduct its meetings at a pre-determined day, time and location with at least fourteen (14) days written notice. A quorum of the CC shall consist of a majority of all members of the CC. All CC meeting shall be open to the Association's membership. The CC may consider both sides of the issue from the Association's representative and the Owner in violation; provided however, that the meeting will proceed whether or not the Owner elects to attend the meeting.

3. Duties: The CC's sole responsibility is to decide by majority vote of its members

whether to reject or approve the fine, suspension, or penalty recommended by the President, director, or property manager pursuant this Enforcement Procedure and Policy. If the CC does not approve the President's, director's, or property manager's recommended penalty by majority vote, it may not be imposed against the Owner, family member, tenant, invitee, or guest. The CC may deliberate outside of the presence of the membership. The CC does not have the authority to change the proposed fine, suspension or penalty.

4. Notice of Imposing Penalty: If a penalty is approved by the CC, the property manager shall provide written Notice of Imposing Penalty via regular and certified/return receipt mail to the member, and if applicable any tenants or other occupants, at the last known mailing address as provided to the Association within ten (10) days of the date of the hearing. The notice shall include: the fine, suspension, and/or other penalty imposed, the amount of the approved fine and/or duration of the suspension, and the deadline for paying any amounts due to the Association.