

POLICY OF THE PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION
REGARDING POLICIES AND PROCEDURES FOR
COVENANT AND RULE ENFORCEMENT

SUBJECT: Adoption of a policy regarding the enforcement of covenants and rules and procedures for the notice of alleged violations, conduct of hearings and imposition of fines.

PURPOSE: To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the Association, preserve the private residential atmosphere of the community, promote safety and compliance with City & County ordinances, and to keep Pineapple Plantation an attractive and desirable community.

AUTHORITY: The Declaration, Articles of Incorporation Bylaws, Rules & Regulations and Architectural Control Guidelines of the Association, and Florida law (statue 720.305). Specifically, Rules & Regulations, Article X, Enforcement of Non-Monetary Defaults of the Declaration and Article III, Powers and Duties, Section C of the Bylaws.

EFFECTIVE DATE: January 1, 2024

RESOLUTION: The Association hereby adopts the following procedures to be followed when enforcing the covenants and rules of the Association:

1. Reporting Violations. Complaints regarding alleged violations may be reported by an Owner or resident within the community, a group of Owners or residents, the Association's management company, if any, Board member(s) or committee member(s). Resident is anyone else living in the home (tenant, family member, guest) other than the Owner.
2. Complaints. Complaints made by Owners or residents, member of the Board of Directors, a committee member, or the property manager (all referred to as the "Complainant") shall be submitted in writing to the Board of Directors. The Complainant shall have observed the alleged violation. The written complaint of the alleged violation shall include:
 - a. the identity, contact information, and signature of the complainant,
 - b. the identity of the alleged violator ("Violator"), if known, and
 - c. a statement describing the alleged violation, referencing the specific provisions which are alleged to have been violated, when and where the violation was observed, **digital photo(s)** and any other pertinent information to support the complaint.
 - d. See Exhibit C for a Violation Complaint Form.

Complaints not in writing or failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the Association.

3. Investigation. Upon receipt of a complaint by the Association, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board designated individual or committee or property manager. The Board shall have sole discretion in appointing an individual or committee to investigate the matter.

Inst. # 3055717
Bk: 3417 Pg: 2693 Pages: 1 of 33
Recorded on: 1/31/2024 10:42 AM Doc: RES
Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$282.00



Note, the term Owner used in the remainder of this document shall be referring to the Owner who has been found to be in violation of the Declaration, Bylaws, Covenants, Rules & Regulations, or other Governing Documents of the Association by the Board of Directors. Remember the Owner is responsible for all violations of their family, guests, tenants and invitees.

4. Violation Which Threatens Public Safety or Health. With respect to any violation of the Declaration, Bylaws, Covenants, Rules & Regulations, or other Governing Documents of the Association that the Board of Directors reasonably determines threatens the public safety or health, the Association shall provide the Owner a first letter (see Paragraph 7 below) of the violation informing the Owner that the Owner has seventy-two (72) hours to cure the violation or the Association may fine the Owner.
 - a. If, after an inspection of the property, the Association determines that the Owner has not cured the violation within seventy-two (72) hours after receiving the notice, the Association may impose fines on the Owner every day, not to exceed one hundred dollars (\$100.00), and may take legal action(s) against the Owner for the violation.
 - b. Violation Cured by Owner. Once the Association determines that an Owner has cured a violation, the Association shall notify the Owner,
 - i. That the Owner will not be further fined with regard to the violation; and
 - ii. Of any outstanding fine balance that the Owner still owes the Association.
5. Violation Which Does Not Threaten Public Safety or Health. If the Association reasonably determines that there is a violation of the Declaration, Bylaws, Covenants, Rules & Regulations, or other Governing Documents of the Association, other than a violation that threatens the public safety or health, the Association shall, provide a first letter (see Paragraph 7 below) regarding the violation and informing the Owner that the Owner has a set number of days to cure the violation. Upon expiration of the initial cure period, the Association, after conducting an inspection and determining that the Owner has not cured the violation, may fine the Owner.
 - a. Process to Cure Violation. If an Owner cures the violation within the cure period afforded, the Owner may notify the Association of the cure and the Owner sends notice to the Association with visual evidence that the violation has been cured, the violation is deemed cured on the date that the Owner sends the notice. (see paragraph 6 below). If the Owner's notice does not include visual evidence that the violation has been cured, the Association shall inspect the property as soon as practicable to determine if the violation has been cured.
 - b. Violation Cured by Owner. Once the Association determines that an Owner has cured a violation, the Association shall notify the Owner:
 - i. That the Owner will not be further fined with regard to the violation; and
 - ii. Of any outstanding fine balance that the Owner still owes the Association.
 - c. Failure to Cure Violation by Owner. If the Association does not receive notice from the Owner that the violation has been cured, the Association shall inspect the unit within a reasonable time after the expiration of the initial cure period to determine if the violation has been cured. If, after the inspection, the Association determines that the violation has not been cured, the Association may impose a fine pursuant to Paragraph 8 below. A second notice letter pursuant to Paragraph 9 shall be sent to the owner.
 - d. The Association may take legal action(s) pursuant to this section if the cure periods described above have elapsed and the violation remains uncured.

6. Notice of Compliance. Upon correction of a violation, the owner shall be required to send the Notice of Compliance form to the Management Company. When extenuating circumstances prevent the owner from correcting the Violation within the Violation Cure Period, the owner can request an extension on the Notice of Compliance form. The Board reserves the right to deny the extension. This form must be postmarked by the Violation Cure period due date.
7. First Letter for a Violation. If a violation is verified, a First Notice of Violation shall be sent by the Management Company by regular U.S. Mail to the Owner's address of record and if not the property address of record, an additional copy will be sent to the property. All notices described in this policy shall be deemed to have been sent when placed in the U.S. Mail. The First Notice of Violation Letter shall inform the owner of the nature of the violation, cite the relevant document provisions that have been violated, and request that the violation to be corrected within the time frame prescribed in the letter (the "Violation Cure Period", i.e. 14 days, 30 days, or the number of days as determined by the Board to attempt to accomplish compliance, depending on the type and severity of the violation). The violation correction period may be set by any Board Member familiar with the violation (see Exhibit A for the Covenant Violation Fining and Cure Schedule). The letter shall also contain instructions for notifying the Management Company of the correction of the violation (see paragraph 6 "Notice of Compliance") if applicable. The letter shall provide a Fine Notice as set forth in Paragraph 8 if the violation is not cured within the required period.
8. Board Action to Propose Fine. The Management Company shall provide, at a duly noticed board meeting, a report containing information on owners that have been provided a First Notice of Violation, and the Board shall, upon reviewing the report, make a motion regarding approval of fines and commencement of the Covenant Committee hearing process for any or all of the owners on the report that do not comply with the Association's demands within the time frames set forth in the violation letters. The Board shall also determine the amount of the fine to be considered by the Fine Committee for the violation. The amount of the fine may take into consideration the nature and severity of the violation, whether the violation is a repeated violation, and information regarding when the fines begin to accrue. The fines may be up to \$100.00 per day for each day of a continuing violation, up to \$1,000.00 per violation, unless a higher amount is permitted by law and approved by the Board (Bylaw Article III Section 22, CC&Rs Article IX Section 27 and FS 720.305).
9. Second Notice of Violation and Notice of Hearing. After the Board has agreed to commence the fine process, the Management Company shall send a Second Notice of Violation and Notice of Hearing ("Notice of Hearing") by certified mail, return receipt requested and regular U.S. Mail to the Owner's address of record, and if not the property address of record, an additional copy will be sent to the property. This Notice of Hearing shall:
 - a. explain the nature of the violation
 - b. provide not less than fourteen (14) days' notice of the Hearing date, time, and location
 - c. cite the provisions of the governing documents pertaining to the violation
 - d. include a copy of the First Notice of Violation
 - e. contain a description of the amount of the fine being proposed for consideration by the Covenant Committee
 - f. contain instructions for the Owner regarding the ability to appear at the Hearing and/or provide documentation in advance of the Hearing and make arguments regarding why the fine should not be confirmed
 - g. demand that the violation be cured prior to the Hearing
 - h. contain the Notice of Compliance form to be completed by the owner.

10. Creation of Covenant Committee and Hearing Procedures.

- a. Creation of the Covenant Committee. The Board shall appoint at least three (3) members of the Association to serve as members of the Covenant Committee. The Committee shall appoint one of the committee members to serve as chairperson and one to serve as Recording Secretary. The members of the Covenant Committee may not be the following individuals: officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. Members of the Covenant Committee serve at the pleasure of the Board, and the Board reserves the right to remove a member for any reason, including but not limited to a potential or actual conflict of interest as determined by the Board. Unless removed by the Board, the term of membership on the Covenant Committee shall be for a term of one year from the date of appointment. The Covenant Committee authority shall be limited to the authority described herein, or as may otherwise be limited by law.
- b. Powers and Duties of the Covenant Committee.
 - i. The Covenant Committee shall meet, as required, at a time and place determined by the chairperson of the committee. In order to conduct business and any hearings, a quorum of a majority of the committee must be present. There shall be a minimum of fourteen (14) days' notice of the meeting sent to the violating owner. Notice of the meeting shall also be posted in a conspicuous place in the community not less than forty-eight (48) hours prior to the meeting, and shall set forth the date, time, and place of such meeting.
 - ii. Proof of proper notices required by this policy shall be presented and recognized in the minutes of the meeting. The alleged non-compliance shall be presented to the Covenant Committee by the Board or board representative, either personally at the hearing or through documentary evidence provided to the Covenant Committee in advance. Attendance of the violator at the meeting shall be deemed as a waiver or acceptance of adequate notice. The alleged violator shall have a right to present evidence and witnesses, ask questions, and otherwise present a case regarding why the fine should not be confirmed by the Covenant Committee. The Covenant Committee shall review all of the evidence and testimony and determine whether to confirm or reject the fine levied by the Board. A majority of the Covenant Committee must confirm a fine.
- c. Failure to Appear at Hearing: In the event that a violator fails to attend the hearing for his or her violation, the Covenant Committee may proceed without the violator being present, and failure to appear at the hearing shall not serve to nullify any fine confirmed by the Covenant Committee or sought to be collected by the Board.
- d. Notice of Fine: Fines confirmed by the Covenant Committee shall be communicated to the Management Company and the President, via email, U.S. Mail, or in person, within one (1) business day after the adjournment of the meeting. The Management Company shall provide written notice to the owner at his or her designated mailing or e-mail address in the Association's official records and, if applicable, any occupant, licensee, or invitee of the parcel owner, of the committee's findings related to the violation, including any applicable fines or suspensions that the committee approved or rejected, and how the parcel owner or any occupant, licensee, or invitee of the parcel owner may cure the violation, if applicable.

11. Legal Action. Fines shall be paid within fifteen (15) days following the date the notice of hearing results have been sent to the Owner. Failure to pay confirmed fines will result in delinquency and collection procedures. If the fine, as confirmed by the Covenant Committee and imposed by the Board, is not paid and/or the violation is not corrected within the

compliance time frames, the Board or its Management Company may turn the file over to legal counsel for collection and/or formal legal action. In the event that a fine for any violation equals \$1,000.00, the Association's attorney shall have the authority to file a lien against the property to the fullest extent provided by law, and upon approval by the Board, begin lien foreclosure proceedings to secure collection.

If specific performance or injunctive relief is required, the Board may opt to initiate a legal proceeding as prescribed by Florida Statute Chapter 720.311, if applicable. The procedure first requires submittal of the complaint to mediation. If a dispute (complaint) cannot be resolved by mediation, then a civil suit in Martin County, Florida may be filed by the Association.

12. Suspensions. The Management Company shall notify the Board, at a duly noticed Board meeting, regarding whether the fine as been paid and whether the violation has been resolved. If the fine has not been paid within 90 days of the due date, the following procedures may be implemented by the Board:
 - a. If a Owner is more than 90 days delinquent in paying a monetary obligation due to the Association, including a fine, the Association may suspend the rights of the owner, or the owner's tenant, guest, or invitee, to use common areas and facilities until the monetary obligation is paid in full. This suspension does not apply to that portion of common areas used to provide access or utility services to the parcel. Suspension does not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.
 - b. The Association may suspend the voting rights of a parcel or owner for the nonpayment of any monetary obligation due to the Association, including a fine, that is more than 90 days delinquent. A voting interest or right allocated to a parcel or Owner which has been suspended by the Association may not be counted towards the total number of voting interests for any purpose, including, but not limited to, the number of voting interests necessary to constitute a quorum, the number of voting interests required to conduct an election, or the number of voting interests required to approve an action pursuant to the governing documents. The suspension ends upon full payment of all obligations currently due or overdue to the Association.
 - c. All suspensions imposed must be approved at a properly noticed board meeting. Upon approval, the Association must notify the parcel owner and, if applicable, the parcel's occupant, licensee, or invitee by mail or hand delivery.
13. Board Discretion. Nothing in this policy shall be construed to require the Board of Directors to initiate fining or other enforcement proceedings against a violator. The Board has the authority to determine the most effective enforcement approach on a case-by-case basis. Deviation from this policy shall not restrict or nullify the Association's ability to seek legal action to enforce its documents or determine to take a different course of action to address a violation. Failure to pursue enforcement or fining procedures in one instance shall not be deemed to be a waiver of the Board's ability to pursue legal action in other cases. The board can determine that the most effective approach to ensure compliance is the filing of a lawsuit, instead of or in addition to the fining system. This decision is solely within the discretion of the Board of Directors. Consideration may be given regarding the severity and frequency of the infraction in determining the appropriate level of enforcement action to be taken against Owners in violation of the community's restrictions.
14. Repeat or Severe Violations: The Board recognizes that sometimes Owners repeat the same violation that they have been notified about in the past. The Board also recognizes that sometimes the violation is not ongoing or can be severe (nuisance behavior such as frequent or severe loud noises or parties, unreasonable dog barking, unreasonable sounds, smells,

lighting, short-term lease violations, or other similar violations). In these cases, the Board is justified start fining proceedings without giving a grace period, and/or immediately and simultaneously pursue formal legal action through mediation and/or litigation.

If an owner repeats a violation within 30 days after notice of the violation, or if the violation is considered severe, the Board is not required to send notices that give any grace periods to resolve the violation. The Board can decide to move forward with fining procedures and send the Notice of Hearing. For these types of repeat or severe violations, the Covenant Committee shall conduct the fining hearing and shall determine whether to confirm or reject the fine, regardless of whether the violation has been resolved at the time of the hearing.

15. Fine Schedule for Violations and Cure Periods. The fine schedule at Exhibit A has been adopted for all covenant, and Rules and Regulations violations by the Board.
17. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the violation being resolved and staying in compliance with the Articles, Declaration, Bylaws or Rules.
18. Other Enforcement Means. This fine schedule and enforcement process is adopted in addition to all other enforcement means which are available to the Association through its Declaration, Bylaws, Articles of Incorporation and Florida law. The use of this process does not preclude the Association from using any other enforcement means.
19. Supplement to Law. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Florida governing the community.
20. Amendment. This Policy may be amended from time to time by the Board of Directors.
21. Fees and Costs: Payment of any and all attorneys' fees and legal costs incurred by the Association will be the responsibility of the Owner.
22. Nothing contained herein affects or limits the power of the Board of Directors of the Association to waive, reduce or suspend a fine, or remove any suspension, at any time.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of The Pineapple Plantation Property Owners Association, certifies the foregoing Policy was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on December 21, 2023 and in witness thereof, the undersigned has subscribed their name.

The Pineapple Plantation Property Owners
Association, a Florida not-for-profit corporation

By: Karl V. Chalupa

Its: Karl Chalupa President

KARL V. CHALUPA .

EXHIBIT A
PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.
Covenant Violation Fining and Cure Schedule

The minimum fine for any violation shall be \$50 with the maximum fine being \$100. If a violation is assigned a per-day or per-occurrence fine, the fine shall accrue \$100 per day or per occurrence for up to a maximum of \$1,000. Fines can be amended from time to time by the Board of Directors. Below is not a complete list of violations but does contain some of the most common violations.

<u>Violation</u>	<u>Rule & Regulation Section</u>	<u>First Violation</u>	<u>Additional Violations</u>		
		<u>Reasonable Period to Cure</u>	<u>Daily Fine</u>	<u>Reasonable Period to Cure</u>	<u>Daily Fine</u>
Commercial Vehicle Violation	H1,2	Within 7 days	\$50	NO Cure Period	\$100
Parking of boat, RV, trailer	H1,2	Within 7 days	\$50	NO Cure Period	\$100
Parking or driving of Golf Cart	H1,2,8,9	Within 7 days	\$50	NO Cure Period	\$100
Parking overnight/grass/cul-de-sac	H11	Within 7 days	\$50	NO Cure Period	\$100
Vehicle Mechanical work	H4,5	Within 14 days	\$50	NO Cure Period	\$100
ARB Violation	D1-9, 11-14	Within 30 days	\$50	Within 14 days	\$100
Driveway/Roof/Home/Mailbox Cleaning	E1,2	Within 30 days	\$50	Within 14 days	\$100
Other Home Maintenance Violations	E1,2	Within 30 days	\$50	Within 14 days	\$100
Landscaping Maintenance	E1,2	Within 30 days	\$50	Within 7 days	\$100
Common Area/Preserve Damage	A3,10	Within 30 days	\$50	Within 0 to 7 days	\$100
Common Area/Preserve Encroachment	A4,6,8	Within 7-30 days	\$50	Within 0 to 7 days	\$100
Lake Violation	A7	Within 7 days	\$50	NO Cure Period	\$100
Sign Violation	G2	Within 7 days	\$50	NO Cure Period	\$100
Animal Off the Leash Violation	I2	Within 7 days	\$50	NO Cure Period	\$100
Animal Waste Not Picked Up	I3	Within 7 days	\$50	NO Cure Period	\$100
Nuisance Violation	A5, G5,6,9	7 to 14 Days	\$50	NO Cure Period	\$100
Garbage Can Storage Violation	F1	Within 30 days	\$50	NO Cure Period	\$100
Garbage Can out before 5pm or in the road	F5,6	Within 7 days	\$50	NO Cure Period	\$100
Yard Waste out before Sat. or in Road	F7	Within 7 days	\$50	NO Cure Period	\$100
Decoration/Window Treatments Violation	D7	Within 14 days	\$50	Within 7 days	\$100
Trash & Other Material Stored Outside	F2,4, G4	7 to 30 days	\$50	0 to 30 days	\$100
Structures on Lot Violation	D5	Within 30 days	\$50	NO Cure Period	\$100
Playground Violation	B1-14	Within 7 days	\$50	NO Cure Period	\$100
Surface Water/Stormwater Violations	C1-5	Within 30 days	\$50	NO Cure Period	\$100
Game/Play Structures/Basketball Violation	D11	Within 7 days	\$50	NO Cure Period	\$100
Irrigation System Violation	G6	Within 30 days	\$50	0 to 7 days	\$100
Flag Pole/Holder Violation	D10	7 to 30 days	\$50	0 to 30 days	\$100
Flag Type Violation	D10	Within 7 days	\$50	NO Cure Period	\$100
Other Use Restriction Violations		7 to 30 days	\$50	0 to 30 days	\$100
Other Violations of the Declaration		7 to 30 days	\$50	0 to 30 days	\$100

EXHIBIT B
PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.
Covenants Committee Meeting Guidelines

The purpose of the Covenants Committee is to gain compliance of the violator with the Governing Documents and the Rules and Regulations.

The Committee will elect a Chairperson and a Recording Secretary. The Chairperson will conduct the meeting and ensure that the guidelines for the Committee are followed in a fair and impartial manner. The Recording Secretary will keep accurate minutes of the meeting and provide a copy of the Committee's decision to the Property Manager within 24 hours of any meeting of the Committee. The Owner/Tenant has the right to have legal counsel and/or witnesses present at the meeting.

The Committee Chairperson shall announce proper notice of the meeting was given and introduce the case by describing the alleged violation and the procedure to be followed during the hearing.

The Owner/Tenant will have the opportunity to state why he/she is not in compliance with the Covenants and/or Rules & Regulations of the Association and to negotiate when reasonable for an extension of the time period for coming into compliance. The Committee may recommend the imposed fine or suspension of the fine to a partial amount, if (1) the Owner performs the promised compliance actions by the deadline, (2) the Owner pays the partial amount by the deadline, and (3) the Owner agrees to avoid incurring another fine imposition for one (1) year from the date of the previous imposition or settlement agreement. A breach of the agreement results in the suspended fine returning to the full amount.

The Association is allowed to have an representative who can present the Association's position and introduce documentation to support the claim of non-compliance.

The Committee will listen to the case presented by the Owner/Tenant. Committee members may question the Owner/Tenant and any witnesses that may be present.

The Committee will review all of the information that has been presented by the Association as well as interview any witnesses or complainants who may be invited to attend the hearing.

After reviewing all evidence and listening to testimony from both sides at the hearing, the Committee will excuse both parties and render a decision. If confronted with a difficult enforcement situation or litigation possibilities, the Committee may seek advice from Counsel for the Association.

Collection: If the Committee approves the fine, the Association must provide imposition notice of such fine or suspension to the Owner. These charges may be added to the Owner's account ledger with the Association.

Fees and Costs: Payment of any and all attorneys' fees and legal costs incurred by the Association will be the responsibility of the Owner.

EXHIBIT D
PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.
Sample Violation Letters (Actual letters may differ)

First Notice of Violation

Date

Owner Name

Address

Re: Violation Notification

Dear (Owner's Name),

This letter is to inform you of noncompliance with the Declaration, Architectural Controls and Rules and Regulations of The Pineapple Plantation Property Owners Association, Inc. Section xx, Pg (state regulation etc) The Board finds that you have (explain violation).

It is your responsibility to **either** correct the violation **or cease this activity** by (explain corrective action required) by (date). If you do not correct the violation or cease this activity by the specified date, you will be subjected to a fine of up to \$100.00 per day and/or privilege suspension.

A Notice of Compliance form has been included to indicate you have corrected this violation (**when applicable**) and must be postmarked to the management company by the violation due date. Please be advised that noncompliance **or failure to cease this activity** could result in sanctions that include fines and/or suspension of common areas and facility privileges.

You will find a copy of the current Declaration, Architectural Controls and Rules and Regulations of The Pineapple Plantation Property Owners Association, Inc. at www.pineappleplantation.info. If you have any questions, please contact me.

Sincerely,
Account Manager

Enclosure: Notice of Compliance

PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC
Notice of Compliance

Date: _____

Owner Name & Street Address:

I have corrected the violation: (State Violation)

The date of the correction was: _____

I intend to correct the violation however due to:

I cannot correct the violation by the required date but will have the violation corrected by

Owner Signature: _____

Return to (Management Company Address)

Second Notice of Violation and Notice of Hearing

IMPORTANT NOTICE

Date _____

Owner Name _____

Address _____

RE: URGENT – Second Notice of Violation and Notice of Hearing

Dear Owner(s),

This letter is to again inform you that you are in violation of the Declaration, Architectural Controls and Rules and Regulations of The Pineapple Plantation Property Owners Association, Inc. Section xx, Pg. You have been previously notified and have **either failed to correct this violation or have repeated/failed to cease the violation activity:** (state violation and required action) or notified the POA in writing of the reason why you are unable to comply.

Therefore, under Florida Statute 720.305(2), the Association must enforce the provisions of the Association Declaration, Articles, Bylaws and Rules and Regulations as promulgated. A Owner is subject to a fine of up to \$100.00 per day and/or privilege suspension when the Owner fails to remedy the violation after notice.

The Board has proposed a fine in the amount of \$_____.00 for consideration by the Fine Committee. The Covenant Committee will meet on __ (date) __ at __ (location) __, to consider the Board's fine recommendation. At that time, you will have the right to appear in person or designate an appointee to provide an argument as to why you should not be fined. You may also provide written argument to the Covenant Committee Chairperson C/O (Management Company Address) or by e-mail to (Management Company E-Mail Address) prior to the Fine Committee meeting.

Assessed fines can accumulate up to a maximum of \$1,000 for non payment and non-compliance as well as suspension of the rights of the Owner, or the Owner's tenant, guest, or invitee, to use common areas and facilities until the monetary obligation is paid in full and the violation has been corrected. A fine of \$1,000.00 can become a lien against your property, which can be foreclosed similar to an assessment lien foreclosure.

The Association demands that you comply prior to the Hearing. If you choose to comply prior to the Covenant Committee meeting date, the enclosed Notice of Compliance form must be postmarked prior to the meeting date. **(when applicable).**

A Notice of Decision by the Covenant Committee shall be provided to you either in person, via USPS or e-mail.

Sincerely,

Account Manager

Enclosure: Notice of Compliance

Notice of Covenant Committee Decision

Owner Name
Address

Re: Notice of Decision

Dear Owner(s),

You have been previously notified on (Date) & (Date) that you are in violation of (State Rule/Regulation/Restriction) insofar that you have either not corrected or ceased (State Violation) by (Violation Due Date).

Therefore, the Covenant Committee of The Pineapple Plantation Property Owners Association, Inc on (Date) ruled:

- For the assessment of a (Fine Amount) fine payable to the Pineapple Plantation POA and postmarked by (Due Date) to (Account Manager, Management Company Address). Failure to pay the Fine Amount and the receipt of the Notice of Compliance (**if applicable**) postmarked by the due date by (Management Company) will result in additional legal action for collection and enforcement.

- For no assessment of a fine at this time. The Board retains the ability to pursue other legal enforcement.

If a owner is more than 90 days delinquent in paying a monetary obligation due to the Property Owners Association, the Board may suspend the rights of the owner, or the owner's tenant, guest, or invitee, to use common areas and facilities until the monetary obligation is paid in full. The Property Association may suspend the voting rights of a parcel or Owner for the nonpayment of any monetary obligation due to the Property Association that is more than 90 days delinquent.

Cumulative fines of \$1,000.00 will be turned over to the Property Owners Association's legal counsel for further enforcement action and could result in a lien against your property or civil action.

Sincerely,

Account Manager

Enclosure: Notice of Compliance

**PINEAPPLE PLANTATION PROPERTY
OWNERS ASSOCIATION, INC.**

**RESOLUTION TO ESTABLISH A POLICIES AND PROCEDURES FOR
COVENANT AND RULE ENFORCEMENT FOR VIOLATIONS OF
THE PINEAPPLE PLANTATION GOVERNING DOCUMENTS**

A meeting of the Board of Directors of PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC. (the "Association"), was held on the Xnd day of December, 2023, at 6:15 p.m., after duly noticing said meeting in accordance with the Bylaws and Florida law, and after said meeting was called to order and upon call, a quorum was found to be present, and after a motion was duly made, seconded, and carried by at least a majority vote, it was resolved as follows:

WHEREAS, the Association is a Florida not for profit corporation created and organized for the purpose of managing and administering the community and common areas of the Association.

WHEREAS, the Board of Directors of the Association, pursuant to its Bylaws and Florida law, is authorized to adopt rules and regulations governing the details of the operation and use of the Common Areas and Association Property of the Association;

WHEREAS, Section 720.305, Florida Statutes, provides that the Board of Directors may levy reasonable fines not to exceed \$100 per violation against any Owner, or that Owner's tenants, guests, or invitees for violating the Governing Documents of a homeowners' association, including the rules and regulations adopted by the Board of Directors;

WHEREAS, the Board of Directors of the Association has determined that in furtherance of its efforts to protect the general welfare of the Owners and residents of PINEAPPLE PLANTATION, it is in the best interest of the Association to adopt a comprehensive covenant enforcement policy, as well as a process for the imposition of fines pursuant to Section 720.305, against an Owner, or that Owner's tenants, guests, or invitees for violating the Governing Documents of the Association;

WHEREAS, the Board of Directors of the Association has determined that it is appropriate to establish a schedule of fines for more common violations within the Community without the necessity of a board meeting to consider whether to levy a fine for such common violations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors adopts the Policies and Procedures for Covenant and Rule Enforcement, which shall apply to all Owners, and their tenants, invitees, licensees, guests, and other visitors of the Association (hereafter the "Covenant and Rule Enforcement"). A true and correct copy of the Policies and Procedures for Covenant and Rule Enforcement, as approved by the Board, is attached to this Resolution as Exhibit.

**CERTIFICATE OF RECORDING BOARD RESOLUTION
ESTABLISHING A COVENANT AND RULE ENFORCEMENT POLICY FOR
PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT, pursuant to the Declaration of Covenants, Conditions, and Restrictions for Pineapple Plantation, which has been duly recorded on October 9, 1996 in Official Records Book 1199; Page 2545 et. seq. s of the Public Records of Martin County, Florida (the "Declaration"), as amended from time to time, and the Articles of Incorporation and Bylaws, the attached Resolution of the Board of Directors of Mallory Creek Homeowners Association, Inc. was duly adopted at a meeting of the Board of Directors on September 25, 1995. This Resolution establishes a Policies and Procedures for Covenant and Rule Enforcement for Violations of Pineapple Plantation Property Owners Association, Inc.'s Declaration and other governing documents which is attached to the Resolution as Exhibit "A".

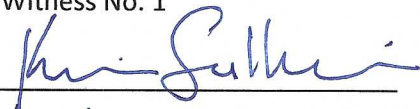
IN WITNESS WHEREOF we have affixed our hands this 21 day of December 2023, at
Stuart, Martin County, Florida.

PINEAPPLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.



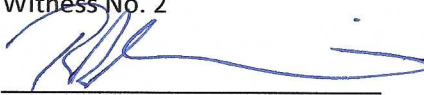
Karl Chalupa, PRESIDENT

Witness No. 1


Kevin Sullivan

(PRINT NAME)

Witness No. 2

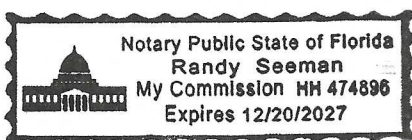

RONALD R. MARCUCCI

(PRINT NAME)

STATE OF FLORIDA:

COUNTY OF MARTIN:

The foregoing instrument was acknowledged before me this ²¹XX day of December 2023, by Karl Chalupa and RONALD MARCUCCI, as President and Treasurer respectively, of Pineapple Plantation Property Owners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation by mean of physical presence or online notarization. They are personally known to me or have produced _____ as identification and did take an oath.



 (Signature)

Randy Seeman (Print Name)