

Watercrest Community Association
Non-Compliance/Violation Policy (revised 2/13/25)

On June 13, 2024 the Board of Directors revised the Community Wide Standards. Owner/ Members received a full copy of the updated Watercrest Community Wide Standards (CWS) prior to this meeting and have routine access to these Standards and Restrictions through the Watercrest website www.mywatercrest.com. Rules reminders are routinely communicated to Owner/Members and emphasize that all owners, guests and tenants are required to adhere to our Declaration of Restrictions and the Community Wide Standards. Owners, guests and tenants who do not comply with the restrictions and community wide standards will receive escalating non-compliance violation notices as follows:

- **Courtesy Notice** – This notice serves as a reminder of the community restrictions and standards rules and is the official notice of any non-compliance with the Restrictions or Standards. Owners, guests and tenants will be given 10 days (from receipt of notice) to rectify (unless other time frames are specified by the Association at its sole discretion); If owners, guests and tenants fail to correct the violation within the designated timeframe, a 2nd violation notice will be issued
- **2nd and Final Violation Notice** – This is a notice of continued violation and notice that the violation is being sent to Board to consider a fine for non-compliance at its next regularly scheduled meeting.

Violations are based on on-site reviews by our property management company, as well as substantiated reports and documentation submitted to the property manager.

Fines and Hearing Committee

If, after receiving notices as described above, the owner fails to correct the violation, the Property Manager will recommend that the Board levy fines against the owner. Upon receipt of the 2nd Violation Notice, an owner will be made aware in writing that fines will be considered by the Board of Directors at an upcoming Board meeting. If the Board decides to levy fines pursuant to this Policy, the owner will be notified, and provided official notice at least 14 days in advance, of the opportunity to be heard at an independent Hearing Committee of the Board. The Hearing Committee will be made up of three residents who are not on or affiliated with the Board. The Hearing Committee will either uphold or deny the fine levied by the Board.

Per Florida law, the fine, if approved by the Board and upheld by the Hearing Committee, will be **due 30 days after the date of the Hearing Committee meeting at which the fine is approved. The Association will provide written notice of such fine by mail or hand delivery.** The fine will be retroactive to the original date on which the Board levied the fine.

Watercrest Declaration of Restrictions, Article 19, allows the Association to set fines not in excess of \$100 per day. In addition, the Declaration places no limit on the aggregate amount of any fine. This unlimited aggregate on fines is allowed by Florida law (FL720.305), as Watercrest's governing documents supersede (are controlling) in this instance. (Higher fines (beyond \$100/day) are possible if violations involve health and safety issues). Per Florida law (FL 720.305), a fine may be levied by the Board for each day of a continuing violation.

As of the February 13, 2025 meeting of the Board, the following fines were set by the Board of Directors

- 1) Unauthorized parking in street overnight - **\$100/day**
- 2) Unauthorized parking in street for more than 3 hours - **\$100/day**
- 3) Unauthorized parking in mail pick-up/pull-over area - **\$100/day**
- 4) Unauthorized parking in amenity center parking lot (illegal parking in handicap spots, overnight unauthorized parking, parking there when not using amenity center) - **\$100/day**
- 5) Parking around traffic circle - **\$100/day**
- 6) Parking in driveway blocking sidewalk - **\$100/day**
- 7) Parking on driveway apron - **\$100/day**
- 8) Parking on landscaping (turf, mulch beds, etc.) - **\$100/day**
- 9) Parking in street facing the opposite direction of traffic - **\$100/day**
- 10) Business Use of Home/Garage - **\$100/day**
- 11) Restricted Vehicle (Non-running, commercial, motor home, etc.) parked in driveway or street - **\$100/day**
- 12) Commencing work/change to exterior without ARC approval - **\$100/day**
- 13) Failure to restore landscaping/irrigation after ARC approved project - **\$100/day**
- 14) Renting house less than 6 months - **\$100/day**
- 15) Failure to remove hurricane shutters - **\$100/day**
- 16) Failure to remove trash, debris, personal or contractor equipment from homesite - **\$100/day**
- 17) **Individual Garage sales \$100/day**
- 18) **Non approved exterior equipment on House \$100/day**
- 19) **Nuisance to Neighbors or community \$100/day**
- 20) **Other Restrictions and Standards violations not listed \$100/day**

To Avoid fines, owners, guests and tenants are asked to please adhere to the deed restrictions and community wide standards governing the Watercrest Community Association.