

Vista Lakes Community Association

Procedure for Covenant Enforcement

Adopted February 2, 2005

Objective: Notify owners of covenant violations and achieve a resolution for the benefit of the Association.

The Board of Directors hereby adopts the following policy and procedure to use legal action to enjoin a violation when necessary.

Policy: The Association Manager will implement a fair and equitable practice of sending three letters, if necessary, to advise an owner of an unresolved covenant violation and will recommend legal action to the Board of Directors, if the violation is not resolved.

Procedure

Outline of Association Management steps

- Letter series-When a covenant violation is identified, the Association Manager will send a series of three letters requesting resolution by the owner. The first shall be deemed a "Friendly Reminder" that requests the property be brought into compliance. The second letter will be stronger as the "Second Notice" and the third or "Final Notice" will indicate that legal action will be taken if the owner does not contact Leland Management within 7 days. The time frame between letters can vary from as little as 7 days for commercial vehicles/inoperable vehicles to 60 days for landscaping issues.
- On a monthly basis, the Association Manager will confirm that the violation still exists after expiration of the Final Notice and collate the required file material to refer the owner to the Association's attorney.
- The Association Manager will provide a list of candidates for legal action to the Board of Directors for review and approval.
- Upon receipt of approval the Association's attorney will be sent the file material with a request to pursue compliance from the owner.

Outline of legal action steps

- Initial demand letter will be sent from the attorney requesting compliance within a certain timeframe.
- If the Association Manager confirms the violation still exists, the attorney can file a Petition for Mediation with the Florida Department of Business and Professional Regulation. – Cost to be split between the parties.
- If still not resolved, the Association can file an action in Court against the violation.