

Process for Reporting and Enforcing Violations of Tallahassee Ranch Club Rules, Regulations, Restrictions and Covenants

- A. Violations must be reported in writing (e-mail preferable) to a Board Member. Violations may be reported by any Lot Owner, Tenant, or Resident of a Lot.
- B. When received by the Board, an individual will be assigned to investigate and confirm the violation.
- C. The Board will review the investigation results. When a violation is confirmed, the Board will provide a summary of the infraction and investigation results to the TRC management company.
- D. The TRC management company will be the focal point for taking the action approved by TRC Association, in accordance with the below guidelines:
 - a. First Violation: a **FIRST NOTICE OF VIOLATION** will be sent to the property owner via certified mail allowing for a seven (7) day time frame to correct the alleged violation. Additional time may be provided if management determines that the alleged violation cannot be corrected within seven (7) days. If the violation is resolved, no further action is taken.
 - b. Second Violation: If the alleged violation is not corrected within the time provided in the **FIRST NOTICE OF VIOLATION**, and/or if the violation is observed again within a ninety (90) day time frame, a **SECOND NOTICE OF VIOLATION** will be sent to the property owner via certified mail allowing for a second seven (7) day time frame to correct the infraction.
 - c. Failure to Comply or Expedited Enforcement: An alleged violation may be sent to the Fining Committee for the imposition of a fine and/or sent to legal counsel to formal enforcement if the violations are not corrected after having notices provided in a. and b. above **or** if, in the opinion of the President or two (2) Directors, the alleged violator:
 - i. States a refusal to comply; or
 - ii. If the alleged violation is of a nature that:
 - 1. Creates a dangerous condition;
 - 2. Detrimentially impacts the subdivision; and/or
 - 3. Is recurring;
 - d. Fining Committee Hearing: As provided above and with the approval of the Board, a violation may be sent to the Fining Committee to be heard with at least fourteen (14) days' notice to the alleged violator by certified and regular mail. The notice shall describe the nature of the violation, that fines may be imposed beginning from the expiration of the deadline in the **SECOND NOTICE OF VIOLATION** or other Board determined date, and that the alleged violator will be permitted to submit written and oral arguments and evidence at the Fining Committee Hearing.
 - e. Fines: The Board may impose up to \$100 for a single violation and for each day of a continuing violation up to a maximum of \$1000.00.
 - f. Payment of Fines: The failure to pay any fines levied by the Board and approved by the Fining Committee will result in the account being placed into collection. Pursuant to state law, the violating Owner is responsible for attorneys' fees and costs incurred by the Association in the collection of unpaid fines.

Procedures – Fining Committee

- A. Fining Committee. The Fining Committee shall be deemed established by the adoption of this policy. The Fining Committee shall be composed of three (3) to five (5) members of the Association who are not Officers, Directors, or employees of the Association or the spouse, parent, child, brother, or sister of an Officer, Director, or employee of the Association. The members of the Hearing Committee shall serve at the pleasure of the Board of Directors. The duty of the Fining Committee is to hold hearings as necessary to consider the approval of the Board levied fines.

- B. Duties of the Fining Committee. As provided by law, the sole duty of the Fining Committee is to determine if an alleged violation occurred after the presentation of evidence at a fining hearing. The Fining Committee does not determine the amount of the fine levied by the Board or other terms of compliance or resolution.

- C. Presentation of Evidence. The Association and the alleged violator(s) shall each be permitted to present written or oral argument and evidence to be considered by the Fining Committee. The Association's Management Company and/or a representative of the Board shall present evidence for the Association.

- D. Record of the Determination. The Fining Committee shall prepare minutes of the hearing stating the motions made and votes taken.