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05/02/2019 11:51am Page 1 of 4  
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Paula S. O'Neil, Ph.D.  
Pasco County Clerk & Comptroller

*y* NOTICE REGARDING ADOPTION OF FINING POLICY BY THE BOARD OF DIRECTORS

This hereby provides notice regarding the adoption of the attached Fining Policy by the Fairways of Quail Hollow Homeowner's Association, Inc. Board of Directors during a properly noticed board meeting pursuant to the Association's governing documents and Florida law. The Amended and Restated Declaration of Covenants and Restrictions of Fairways of Quail Hollow, and as subsequently amended, was recorded in Official Records Book 8821, Page 3138, Public Records of Pasco County, Florida. The Fairways of Quail Hollow Homeowner's Association, Inc. has adopted the attached fining policy and wishes to place all persons on notice of the existence of such policy.

IN WITNESS WHEREOF, FAIRWAYS OF QUAIL HOLLOW HOMEOWNER'S ASSOCIATION, INC. has caused this instrument to be signed by its duly authorized officer on the \_\_\_\_ day of April 2019.

FAIRWAYS OF QUAIL HOLLOW HOMEOWNER'S  
ASSOCIATION, INC.

By:

*Bill Kentish*  
Bill Kentish, President

*[Signature]*  
Signature of Witness #1

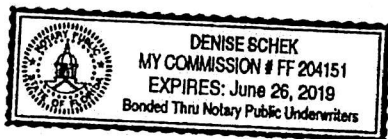
**JON R. MATTHEWS**  
Printed Name of Witness #1

*Carolyn W. Lodge*  
Signature of Witness #2

**CAROLYN W. LODGE**  
Printed Name of Witness #2

STATE OF FLORIDA  
COUNTY OF PASCO

The foregoing instrument was acknowledged before me this 17 day of April 2019, by Bill Kentish, who is personally known to me or provided \_\_\_\_\_ as identification.



*[Signature]*  
Notary Public, State of Florida

Commission No:

My Commission Expires:

*FF 204151*  
*6/26/19*

**FAIRWAYS OF QUAIL HOLLOW HOMEOWNER'S ASSOCIATION, INC.**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
ADOPTING A POLICY FOR FINING**

WHEREAS, Section 720.305, *Florida Statutes*, permits fining for violations of the Declaration, Bylaws or Rules and Regulations of the Association; and

WHEREAS, the Board of Directors of the Fairways of Quail Hollow Homeowner's Association, Inc. ("the Association") wishes to adopt a policy regarding the fining procedure which it will utilize in connection with pending or future violations, and the policies set forth below supersede all prior fining procedures and policies of the Association;

NOW, THEREFORE, be it resolved by the Board of Directors as following:

1. The Board of Directors or its appointed agents are charged with determining whether there is probable cause that any of the provisions of the Declaration, the Bylaws, or the Rules and Regulations of the Association have been violated.
2. The Board of Directors shall appoint a Fining Review Committee which shall consist of three (3) owners, and any alternate members the Board may designate, who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. Such Committee shall be charged with conducting the hearing and rendering the decision with regard to the levy of fines as herein provided.
3. In the event that a Complaint is received by the Association, or a violation is otherwise determined to have occurred, the Board of Directors ("the Board") or its agents will notify the alleged violator(s), and in appropriate cases, will provide an opportunity for such violation to be corrected within a reasonable time.
4. If the violation has not been corrected following notice from the Association and a request for correction of the violation, or in the case of a second violation, or a violation of a serious nature that the Board determines does not warrant an opportunity for the violator to correct it, the Board, or its designated agent(s) if proper authority and guidelines have been provided by the Board, may adopt a proposed fine, up to the maximum amount allowed by law. A fine may be imposed based upon each day that a continuing violation continues. The fine will not become final until a hearing has been held.
5. Following the adoption of a proposed fine, the alleged violator shall be notified by regular and certified mail, and a copy of this policy shall be provided, along with a notice that provides a date and time of the scheduled hearing before the Fining Review

Committee. The notice to the alleged violator shall also include a short and plain statement of the violations and proposed penalties asserted by the Association, as well as a statement of the provisions of the Declaration, Bylaws, or Rules which have allegedly been violated

6. The Committee shall hold a hearing after giving the owner fourteen (14) days written notice of the date, time and place of the hearing. The Fining Review Committee may overrule or uphold the fine following the hearing.
7. The Fining Review Committee shall appoint a Chairman and shall conduct hearings in accordance with the following rules, in addition to such other rules and procedures as may be established by the Committee, to hear any charges and defenses.
  - (a) A representative of the Association shall be heard first, in order to summarize the basis for the proposed fine, and to present any witnesses or documents in support of the proposed fine. Written affidavits shall be permitted, and the hearing need not be conducted according to technical rules relating to evidence and witnesses. A party or witness may also be allowed to appear by telephone conference, provided that the cost involved is paid by the party offering such evidence. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. The rules and privileges relating to court proceedings shall only be effective to the extent that they are required by law to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.
  - (b) Each party shall have these rights: to be represented by counsel or another designated representative; to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination; to impeach any witness regardless of which party first called him to testify; and to rebut the evidence against him.
  - (c) Neither the accusing person nor the alleged violator must be in attendance at the hearing. The hearing may be open to attendance by other owners, if required by law or at the discretion of the Board and/or the Committee. In rendering a decision, official notice may be taken at any time of any generally accepted matter within the Declaration, the Articles, the By-Laws, the Rules and Regulations or the workings of the Association.
  - (d) The Committee shall render a decision on the matter during the hearing and will prepare a brief written summary of the decision which is to be provided to the Board and the alleged violator and, if applicable, the tenant, licensee,

or invitee, by mail or hand delivery. If the decision of the Committee, by majority vote, is to uphold the fine, the fine shall be payable to the Association within five (5) days from the date of the committee meeting at which the fine is approved.

8. Subsequent to the hearing, any further enforcement action will be taken by the Board of Directors.
9. Any violator(s) will be responsible for interest, costs and attorneys' fees incurred in the enforcement of the fine, including costs and attorney's fees in connection with any correspondence or hearings, provided that the Committee upholds the fine, in whole or in part, and the person who is the subject of the fine fails to pay on the date the fine becomes due.

IN WITNESS WHEREOF, the Board of Directors has adopted this Resolution at its Board meeting on this 18 day of MAR, 2019.

FAIRWAYS OF QUAIL HOLLOW HOMEOWNER'S ASSOCIATION, INC.

By: 