

DEL WEBB BEXLEY COMMUNITY ASSOCIATION, INC.
RESOLUTION ADOPTING COMPLIANCE COMMITTEE
HEARING PROCESS POLICY

WHEREAS, Del Webb Bexley Community Association, Inc. (the "Association") is a not for profit corporation duly organized and existing under the laws of the State of Florida; and

WHEREAS, the Association is a homeowners association governed by Chapter 720, Florida Statutes, the Articles of Incorporation of Del Webb Bexley Community Association, as recorded at OR Book 9774, page 2725 *et seq.*, of the public records of Pasco County Florida, as amended from time to time (the "Articles of Incorporation"), the Bylaws of Del Webb Bexley Community Association, Inc., as recorded in Official Records Book 9774, Page 2734, *et seq.*, of the public records of Pasco County, Florida, as amended from time to time (the "Bylaws"), and the Community Declaration for Del Webb Bexley, as recorded in Official Records Book 9774, Page 2623, *et seq.*, of the public records of Pasco County, Florida, as amended from time to time (the "Declaration") in addition to other governing documents;

WHEREAS, § 720.305, Florida Statutes, authorizes the Association to levy fines and suspend common element use rights for violations of the Association's governing documents;

WHEREAS, Article 7 § (9) of the Articles of Incorporation also authorizes the Association to make and enforce rules and regulations governing the Association, the Common Areas, Lots, and Parcels and Homes;

WHEREAS, Section 9.16.5.2 and Section 20.6 of the Declaration authorizes the Association to suspend an Owner's or occupant's right to use the Common Areas for nonpayment of assessments or other violations of the Governing Documents; and

WHEREAS, Section 20.6 of the Declaration authorizes the Association to levy fines against an Owner or Occupant for any violation of the Governing Documents.

NOW, THEREFORE, BE IT

RESOLVED, that the foregoing recitals are true and correct; and

RESOLVED, that the Board of Directors of the Association hereby approves and adopts the Compliance Committee Hearing Process Policy attached to this Resolution as **Exhibit A**.

IN WITNESS WHEREOF, the Board of Directors of the Association, at a duly noticed meeting of the Board of Directors at which a quorum was present, held on the 10 day of July, 2024, in the manner required by the Association's Governing Documents, has adopted the Compliance Committee Hearing Process Policy attached as **Exhibit A**.

**DEL WEBB BEXLEY COMMUNITY
ASSOCIATION, INC.**

Sign: Gary Zima
Print: GARY ZIMA

Title: PRESIDENT



COMPLIANCE COMMITTEE HEARING PROCESS

1. PREPARING FOR THE HEARING

- D Notification from Community Association Manager (CAM) sent to Compliance Committee Lead/CoLead of Violations with Board-Levied Fines and Suspensions and Hearing Notices sent to Homeowners.
- D Hearings scheduled no less than fourteen (14) days and no more than ninety (90) days after the notice of the fine or suspension is provided to an Owner, in increments of time necessary to conduct these hearings, with Electronic Means for Property Owners' availability. Seating/Guest Sign-In Sheets and Property Owners Sign-In Sheet for requested block of time will be prepared.
- D Notice that the Board has levied a fine and/or suspension against the Owner or Occupant and the imposition of the fine and/or suspension will be considered by the Compliance Committee at hearing is provided to the Owner. The Notice will be sent by regular U.S. Mail to the address on record with the Association and/or the portal email address on record. The Notice of Fine and/or Suspension will include a description of the alleged violation, the specific action required to cure such violation, if applicable, the date and location of the hearing, and access information if the hearing is held by telephone or other electronic means.
- D Lead/CoLead identify 3 members from Compliance Committee and Alternate(s) for each Hearing. When possible, a 4th member may be picked as alternate, if needed due to unforeseen circumstances.
- D Duly noticed hearings will proceed with or without the Property Owner in attendance. Hearings may take place via telephone or other electronic means, with the Owner having been provided access information. If the meeting takes place in person, the Owner has the right to attend by telephone or other electronic means.
- D If the violation is cured by the time of the hearing, the committee shall note the same and shall not confirm the fine, but will note in the minutes that the violation has been cured.

2. PROCEDURES DURING THE HEARING

- D Designated Seating/Sign in Sheets for Guest Attendees and a Separate Sign-In Sheet for Property Owners attending Hearing available.
- D Hearing Called to Order by Compliance Committee Convener.
- D Presentation of Violation and Board-Levied Fine/Suspension with Documentation/Evidence Prepared by CAM/Management Staff.
- D Presentation/Response by Homeowner and/or Attorney/Witnesses
- D Questions from Compliance Committee Members

- D Committee Deliberation/Decision by majority vote of (3) Committee Members to Confirm or Reject Fine and/or Suspension. The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the board only.
- D If a violation has been cured before the hearing before the Compliance Committee or in the manner specified in the written notice of the hearing, the fine or suspension may not be imposed.
- D Adjournment of Hearing

3. POST-HEARING

- D Following the Hearing, the Compliance Committee Lead will forward the Hearing Form to the Board/CAM; within 7 days after the hearing, written notice shall be provided to the Homeowner via CAM/Management Staff, at their designated mailing or email address in the Association's official records, indicating the Committee's decision related to the violation fine or suspension, how the violation may be cured and date by which fine must be paid, or suspension fulfilled. Information regarding at what point attorney fees and costs will start should also be included in the notice to homeowners.