

TURTLE COVE (GLADES) CONDOMINIUM ASSOCIATION, INC.



1213 Linda Road
Okeechobee, FL 34974-0430
863-824-2240
tccaglades@yahoo.com

President – Jerry Morris Vice-President – Open Treasurer – Tony Emerson
Director – Jeff Hudnall Secretary – Angie Swindle

Violations Committee Process

This document is intended to provide detailed information about the process used by the Turtle Cove Board of Directors to establish and oversee the violations committee.

Florida Statute: Finning committees have been part of Florida Statute 718 since before 2011. A major rewrite in 2015 added more steps and requirements to the process. Since then, it has been refined further into what we have today. The specific requirements are detailed in Florida Statute 718.303 incorporated by reference into this document. Owners are encouraged to read this section to ensure they are knowledgeable regarding the requirements, and ready to serve on the committee if called.

Violations Committee Makeup: The Florida Statute requires a minimum of three members on the committee. But Boards are free to utilize more as appropriate based on their individual situations. The Turtle Cove Board has targeted a committee of five members. The committee is constituted when each of the five Board members recommends one Violations Committee member each to serve. The Board Secretary will reach out to the owner and request they serve. If there is one opening on the Board, the President recommends two owners. If there are two openings on the board, both the President and Vice President recommend two owners.

Committee members serve a term of two years. Owners are not required to serve on the committee but are highly encouraged to do so to help play an important role in keeping the park running well. Meetings are infrequent and usually held online, making it easy to attend.

Committee members cannot be board members. Nor can they be married to or related to a board member. Independence of the Violations Committee is very important to ensure a fair process.

Role of the Violations Committee: The most important thing to understand related to the Violations Committee is what they do **not** do. They do not determine if a violation of the Turtle Cove rules occurred or not. That decision is made by the Board. They also do not determine the amount of the fine. The Board does that as well. The Committee cannot change the amount of a fine and cannot delay the collection of a fine.

Committee Members will be called into service by the Board when the Board determines a rule violation has occurred that is severe enough to warrant a fine. All pertinent information related to the fine will be provided to the committee with plenty of time for review. After a 14-day notice period, the Board will convene a meeting of the committee. At the meeting, both sides will present their case (the Board and the owner). After the discussion, each committee member will determine if the fine is appropriate or not. It must either be accepted or rejected.

The Violations Committee Meeting: Meetings where the Violations Committee will be convened must conform to the same requirements as a standard Board of Directors meeting. Owners must be provided with 48-hour notice, and the meeting must be open to all owners to attend/call in to. Therefore, both committee members and the rule violators' names are made public. Minutes will be published per the normal meeting policy.

Other Important Information: The Board has the legal right to fine owners, guests, or tenants as appropriate. The maximum amount of fines is \$150 per occurrence for an on-going violation, up to a maximum of \$1,000. If approved by the Violations Committee, fines are due within five days after the meeting. The rule violator is not required to attend the Violations Committee meeting, however, the meeting will take place with, or without their presence. Committee members will be advised that the absence of the owner does not automatically mean they are guilty and the committee member should consider all the evidence presented when making a decision. Fines that are levied and that remain unpaid after 30 days can be collected via an action initiated by the Board of Directors in small claims court. The winning party in such an action can ask the court to order the losing party to pay all court costs.

Serving on the Violations Committee is an important function and all owners are encouraged to do so when asked. It's the best way to help ensure the community operates smoothly. If after reading this, any owner still has questions, please reach out to a board member.

Sincerely,

Board of Directors
Turtle Cove Condominium Association