



## **ADDRESSING COMPLAINTS AND RULES PROCEDURE**

For the information of all members of the Board of Directors and all unit owners, we have formulated a procedure that allows unit owners to lodge complaints whenever they believe a violation(s) has occurred to the rules of our governing documents. Florida statute has recently changed and our procedures were adapted to comply with the statute's guidance on how to address violations presented to the Board.

What follows is an outline of our procedures:

1. Whenever a unit owner believes that a rule has been violated, he/she should not engage in any type of confrontation or discussion with the other person.
2. He/she should note the date and time of the violation, and these details, along with a brief explanation of what was seen, should be submitted to the Association's Office via a Rules Violation Form, available from the Office, and on-line on our Website.
3. Whenever possible, a second witness to the violation should also be indicated on the form.
4. No verbal complaints will be addressed. Complaints must be in writing.
5. Complaints should be submitted to the Office in a sealed enveloped marked "Rules Violation."

Once a Rules Violation Form is received, it is forwarded to the Operations Manager for review. From this point, the following takes place and the Operations Manager must:

- Verify via our governing documents whether or not the event on the Rules Violation Form is indeed a rules violation.
- If there is a violation, the Operations Manager will outline his findings and quote the rule violated and confer with the Rules Committee. Once the Rules Committee confirms his findings, he will communicate with the violator on the infraction. Note: The witness(s) information is confidential and is not revealed to the violator.
- The violator receives a notice and is given an opportunity to communicate with the Operations Manager with explanations.
- If no rule was violated, the filer of the Rules Violation Form is notified, no further action is taken, and the case is closed.
- The Operations Manager, with the approval of the Rules Committee, must report all open and unresolved cases to the Board at the next Board meeting and present the approved recommendations made by the Rules Committee.
- If the Board approves fines and/or sanctions, that person will be summoned by the Board, to attend a hearing of the Covenant Enforcement Committee.
- The hearing will be held no sooner than 14 days from the notification.
- At that meeting, the owner may be represented by counsel and/or may present a defense and introduce witnesses, without the presence of plaintiff or any others.
- These meetings are not open to other owners. Once the hearing is adjourned, and the owner has left, the members of the Committee must decide if the Board's decision is to be confirmed or dismissed, and the Committee's decision is without appeal.
- If the violator does not attend the meeting, the decision of the Board is final.
- The Chairperson of the Covenant Committee reports their decision to the Operations Manager, who subsequently informs the Board of Directors of the Committee's decision.



# LAS VISTAS IN VERRARY CONDOMINIUM ASSOCIATION, INC.

## Rules Violation Form

### Instructions:

This form should be completed if you believe that a rule(s) as outlined in our governing documents (By-Laws, Declaration of Condominium, Articles of Incorporation, Rules and Regulations) has been violated.

Complete this form in its entirety and return it to the Association’s Office in a sealed envelope marked “Rules Violation.” This is to insure author confidentiality throughout the rules process.

### **Please Note:**

- No verbal violation complaint will be accepted
- If possible, please provide contact information on any other witness to the rules violation

**Rules Violation Process** – Please see the back of this form for the details on the procedure that takes place once a complaint on rules violation is received.

Information on the <b>Person Submitting</b> this Form: Name: _____ Bldg. & Unit #: _____ Telephone # _____
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Information on Any <b>Witness(s)</b> : Name: _____ Bldg. & Unit #: _____ Telephone # _____
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Alleged Rules Violation Information: Name of Unit Owner/Renter Involved: _____ Bldg. & Unit #: _____ First Date of Alleged Infraction: mm: _____ day: _____ yr: 20 _____ Approximate time: Hr: _____ a.m. _____ p.m. _____ Subsequent Alleged Infraction: mm: _____ day: _____ yr: 20 _____ Approximate time: Hr: _____ a.m. _____ p.m. _____
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Description of Alleged Infraction:

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For Office Use Only: _____
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