

Ratified 06/28/22 - Deer Lakes Board of Directors

Hearing Committee Guidelines Committee Role & Responsibility

The role of the committee is limited to determining whether to confirm or reject the fine assessed by the board. With the ultimate goal of upholding FL Statute 720.305 and subsequently the Deer Lakes Association Declaration of Covenants and Restrictions in adjudication, the Hearing Committee will be the final arbiter in these cases.

Violation & Hearing Process

1. Violation letters will be sent to the homeowner to notify of a violation of the Deer Lakes Covenants and Restrictions and request measures to cure the violation within 30 days. In this timeframe, the home owner is given ample opportunity to provide evidence of curing the issue causing the violation.

2. Upon verification that an issue has not been cured within the above listed timeframe, the matter will then be presented to the Deer Lakes Board of Directors to assess a fine as prescribed in the Covenants and Restrictions Article 6. The assessed fine begins to accrue immediately upon the decision of the board. The Board of Directors then communicates with the Chairperson of the Hearing Committee to set a date for the hearing.

3. The Hearing Committee confers with a minimum of three of its members volunteering to hear each individual case, and conducts its own independent review. If the members hearing each individual case are unanimous that violation/cure do not warrant a fine, the case is closed and no hearing will be held.

4. If the committee members hearing each case are not unanimous, the home owner will be provided notice by certified mail of a hearing and their right to appear no less than 14 days prior to the hearing date.

5. At the hearing, the committee will hear evidence of the alleged violation and hear the owner's rebuttal of such evidence. Should the Hearing Committee determine that a violation has occurred, the Hearing Committee may in its sole discretion decide:

1. to give the Owner additional time to cure the violation without the levy of any fine.

2. to give the Owner additional time to cure the violation, failing which the original fine assessed by the board will be levied.

3. levy the original fine assessed by the board.

4. upon a finding that the violation has occurred but has been remedied as of the date of the hearing, to levy the original fine assessed by the board for the past violation.

5. upon a finding that the violation has occurred but has been remedied as of the date of the hearing, impose no fine.

6. If the proposed fine assessed by the board is approved by the committee, the fine payment is due 5 days after the date of the committee meeting at which the fine is approved.