

RULES AND REGULATIONS
OF
ISLAND PARK CONDOMINIUM OWNERS' ASSOCIATION, INC.
a corporation not-for-profit under the laws of the State of Florida

INTRODUCTION

When we choose the condominium lifestyle, we must all give up a degree of individual preference for the good of the community. The primary restrictions and limitations applicable to our condominium and Association are found in the Condominium Act, Chapter 718, Florida Statutes, and our governing documents: the Amended and Restated Declaration of Condominium adopted in 2021 and the Amended and Restated Articles of Incorporation and Bylaws of the Association. In addition, the following rules and regulations have been adopted by the Board of Directors pursuant to Section 12.8 of the Declaration and Section 15 of the Bylaws, which gives the Board the authority to adopt, amend or add to the rules and regulation governing the use of units, common elements, Association property, and the operation of the Association.

It is not the intent of the Board to restate herein all the various provisions found in the governing documents. These rules supplement and expand upon the governing documents and provide structure and additional guidance with respect to matters not addressed or not fully addressed in our governing documents. It is the responsibility of all owners to become familiar with and to be compliant with the provisions concerning our condominium and Association.

Enforcement of these rules is also a responsibility of ownership. Any violations should be immediately reported to our CAM.

These rules will be reviewed periodically by the Board of Directors and amended as necessary to better serve the community.

ARTICLE 1 GENERAL

1.1 No Unit Owner shall do or permit to be done, or keep or permit to be kept, anything in his Unit, Limited Common Elements or storage room which could increase the rate or premium of insurance on the Condominium Property or any part thereof or result in the cancellation of such policy or policies.

1.2 All household garbage shall be placed in plastic bags, sealed or securely tied, prior to dropping in the trash chutes or dumpsters. Corrugated cartons and boxes shall be knocked down and placed beside the newspaper recycle bins for disposal. Glass and plastic containers must be rinsed prior to dumping into the recycle bins. Compliance with posted rules in the trash rooms is mandated.

1.3 All lanai shades must be dark in color as viewed from the exterior of the buildings. All screen doors must be white in color and consistent in design. The installation of lanai shades and screen doors on the Unit front doors are subject to the prior approval in writing of the Board of Directors.

1.4 From June 1 to November 30 of each year, a Unit Owner or his tenant who plans to be absent from the Unit and leaving it unoccupied for a week or longer period of time, shall, prior to his departure, remove all furniture, plants and other objects from his lanai.

1.5 At any time or times of the year, a Unit Owner or his tenant who plans to be absent from the Unit and leaving it unoccupied for a week or longer period of time, shall, prior to is departure, shut off the water supply to his Unit and turn off the power to his hot water heater.

1.6 Storage rooms located on each floor of each building are not Limited Common Elements. The Association has assigned keys to specified storage rooms to specific Unit Owners to provide access to such Unit Owners so that each Unit Owner may make use of one-half of the specified storage room assigned to him. This privilege of access and use is not assignable by the Unit Owner to any person including, without limitation, a tenant.

1.7 Every Unit Owner shall promptly and timely pay maintenance fees in accordance with the instructions sent annually to each Unit Owner by the Association or the Association's Community Association Manager (The current practice is to use either electronic banking (preferred method) or the Payment Coupon Book so sent to each Unit Owner and mail the appropriate coupon with a check in the amount due, as shown on the coupon, payable to "Island Park Condo Owner Assoc. managed by Sunstate Association Management Group or current management company, using the mailing labels contained in the said Payment Coupon Book.

1.8 Any Unit Owner that is conducting repairs to his/her unit is requested to notify his/her neighbors and the Board of the planned work, including a brief description and duration of the project. It is requested that any work that results in loud noises be performed during normal day hours of 8 AM to 5 PM.

ARTICLE 11 COMMON ELEMENTS

2.1 Pursuant to Section 718.106(4) of the Condominium Act, dual usage by Unit Owners and their tenants of the Condominium Property including, without limitation, the Common Elements is prohibited.

2.2 Clubhouse hours of operation shall be between 6:00 a.m. and 10:00 p.m. Special functions may be reserved two (2) weeks in advance by Island Park Residents by application to the Secretary or Board of Directors. The Association has first option on all holidays.

2.3 A two hundred dollar (\$200.00) security deposit shall be paid by the Island Park Resident at the time of booking, to be held by the Association and used to pay for any damages to the recreational facilities by the Island Park Resident, his guests or invitees or for any clean-up costs necessitated by the function. Notwithstanding the foregoing, in the event the cost of damage repair and/or clean-up exceeds two hundred dollars, the reserving Unit Owner (or the Unit Owner landlord of the reserving tenant) shall be responsible for the same pursuant to Section 15.2 of the Declaration. Once reserved, Sun State Management Group or current management company will send an email to owners that the club house has been reserved, and post a notice inside the clubhouse. Small, casual gatherings (card games, musical evenings, book club) organized by an owner for their personal guests are not required

to formally book the clubhouse or pay the security deposit. The owner is still responsible for ensuring the facility is left clean and in good order.

2.4 Hosts of private parties shall be Island Park Residents who shall be responsible for ensuring the clubhouse is left in a clean condition. All garbage and recyclable items shall be immediately removed from the clubhouse and disposed of properly.

2.5 The clubhouse doors shall be locked when vacating the premises and the external bathroom doors shall be kept locked at all times. Ceiling fans and lights shall be turned off when vacating the clubhouse.

2.6 The clubhouse and all other Common Elements, including Limited Common Elements, shall be kept free from any and all advertising and/or personal notices other than postings by the Board of Directors and notices of social gatherings open to all Association members.

2.7 Subject to the rules herein set forth, the Board of Directors shall not unreasonably restrict any Island Park resident's right to peacefully assemble or right to invite public officers or candidates for public office to appear and speak in the Common Elements of the Condominium. The clubhouse shall not be used for any group meeting and/or commercial purpose other than meetings of the members of the Association, the Board of Directors or Island Park Residents' social gatherings as approved by the Board of Directors

2.8 Smoking is not permitted in the recreational facilities, the pond-side gazebo and all parts of the Condominium buildings which are not included within the Units or lanais including, without limitation, the elevators, stairwells, building walkways, building patio terraces, storage rooms, disposal rooms, electrical and mechanical rooms, and the parking garage. Disposal or littering of tobacco butts in the Common Elements is prohibited. While smoking is permitted on lanais it will remain subject to the noxious odor restriction.

2.9 Swimming pool hours of operation shall be between sunrise and 9:00 p.m. unless otherwise posted in the pool area.

2.10 Compliance with posted rules in the pool area is mandated.

2.11 The gates to the pool area must be kept closed at all times.

2.12 Do not tamper with the pool heater controls. Ensure that the pool side water tap remains turned off.

2.13 No person shall make or permit to be made any unreasonable noise in the pool area that will interfere with the rights, comforts and convenience of other persons including poolside residents.

2.14 No sound devices are permitted in the pool area unless used with headphones to ensure that others cannot hear the sounds produced by such devices.

2.15 No drinks, other than water, or food are permitted in the pool area. Such water and any tanning lotions or oils must be in non-breakable containers.

2.16 Chairs and lounges must be covered with toweling if tanning lotions or oils are used. Bathers using tanning lotions or oils must shower before entering the pool.

2.17 Persons with wet bathing suits or who are wearing tanning lotions or oils shall not enter the clubhouse (except the washrooms through the exterior doors) nor use its furniture.

2.18 Proper swimwear shall be worn at all times in the pool. Nudity is not permitted in the pool area. All persons wearing diapers must also wear tight fitting waterproof pants. The wearing of undergarments as swimwear, or only a disposable diaper, is not permitted.

2.19 No floating objects, including rafts, are permitted in the pool with the exception of Styrofoam noodles, safety flotation devices being worn by swimmers or those required by persons engaged in water exercises.

2.20 Roughhouse, running, pushing or ball playing is not permitted in the pool area. Diving into the pool is strictly prohibited.

2.21 Close umbrellas and return pool furniture to their original location when leaving the pool area.

2.22 All planting areas and planters, lawns, trees and shrubs are part of the Common Elements and shall not be altered without the prior approval of the Board of Directors.

ARTICLE III GUESTS

3.1 The Unit Owner shall provide their guests with a copy of the Association's Rules Information Circular and the guests must agree to abide by the same. No pets will be allowed for guests.

3.2 Dual usage by Unit Owners and their guests under this Article III of the Condominium Property including, without limitation, the Common Elements is prohibited.

ARTICLE IV RIGHTS OF MEMBERS AT MEETINGS AND INQUIRIES

4.1 Subject to the following restrictions, all members of the Association have the right to speak at Unit Owners (members) meetings, Board of Directors meetings and committee meetings with respect to all designated agenda items:

(a) a Unit Owner wishing to speak shall submit a written request to speak on a particular agenda item or items to the President of the Association prior to the beginning of the meeting for which the request is made; and

(b) a Unit Owner who has made such a timely request may speak on one occasion for no more than three (3) minutes with respect to each agenda item for which a timely request is made.

4.2 Subject to the following restrictions and the provisions of Florida Administrative Code Chapter 61 B-23.002(10), any Unit Owner may tape record or videotape Unit Owners meetings, Board of Directors meetings or committee meetings:

- (a) two (2) days (48 hours) advance written notice prior to a meeting must be given to the Board of Directors and the Management Company by any Unit Owner desiring to utilize any audio or video equipment;
- (b) any audio and video equipment shall be assembled and placed in position in advance of the commencement of the meeting;
- (c) the Unit Owner videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording; and
- (d) all such audio and video equipment shall be removed immediately upon the termination or adjournment of the meeting.

4.3 Pursuant to Section 5.3 of the Bylaws, the Association is only obligated to respond to one single issue written inquiry per Unit in any given thirty (30) day period. In the event the Unit Owner's written inquiry contains multiple issues, the Association will respond to the issues in the order in which they are presented in the written inquiry; each subject issue in the written inquiry will be responded to in the subsequent thirty (30) day period, or periods, as applicable.

4.4 Pursuant to Section 7.10 of the Bylaws, written requests to inspect the official records of the Association by any Unit Owner shall be limited to one request in any given thirty (30) day period. The Board of Directors or its designee shall provide the Unit Owner with a choice of three (3) appointments to meet at the Association clubhouse located at 930 Cooper Street, Venice, Florida 34285. The Unit Owner will be permitted an inspection of the official records for a period of up to two (2) hours. The Association will forthwith cause the making of any copies requested by the Unit Owner at the Unit Owner's expense.

4.5 All notices of Unit Owners meetings, as well as all other requisite notices, shall be posted in the elevator of each building and on the exterior clubhouse bulletin board.

ARTICLE V VIOLATION HEARING COMMITTEE

5.1 Pursuant to Section 5 of the Bylaws, the Board shall, at any time or times at which a hearing under Section 6 of the Bylaws is necessary, appoint an ad hoc committee of either three (3) or five (5) Unit Owners to be known as the Violation Hearing Committee. No member of the Board of Directors or any person living in the same Unit as a Director shall sit on the Committee. The President shall appoint a Chairman from among the Committee members.

5.2 The offending Unit Owner, his tenant, invitee or guest shall be given the opportunity to review, challenge and respond to any evidence or written or oral argument presented on behalf of the Association as well as the opportunity to present evidence and to provide written or oral arguments.

5.3 The Committee shall, following the hearing, decide whether or not the fine imposed by the Board of Directors may be levied. A majority decision of the Committee will be the decision of the Committee.

ARTICLE VI RULES REGARDING INSPECTION AND COPYING OF ASSOCIATION RECORDS

6.1 RECORDS DEFINED -The official records available for inspection and copying are those designated by the Condominium Act, as amended from time to time.

6.2 PERSONS ENTITLED TO INSPECT OR COPY -Every unit owner, or a representative designated in writing, (hereinafter collectively referred to as "unit owner") shall have the right to inspect or copy the official records pursuant to the following rules.

6.3. INSPECTION AND COPYING

(a). A unit owner desiring to inspect the Association's records shall submit a written request to the Manager or Secretary of the Association. The request must be delivered via first class postal delivery or by a delivery service company, such as UPS, FEDEX or the like. Email communications are not acceptable and may not be used to request access to official records. If known, the request must specify the particular record subject to inspection, including pertinent dates or time periods, and shall state whether the request is for inspection or a photocopy. The request must be sufficiently detailed to allow the Association to retrieve the records requested.

(b) . Inspection or copying of records shall be limited to those records requested in advance, in writing.

(c) No unit owner may submit more than one request for inspection or copying of the same record in a sixty-day period.

(d). No owner may submit more than three (3) requests per month.

(e). All inspection of records shall be conducted at the Association's office or at such other location designated by the Association. No unit owner shall remove original records from the location of inspection. No alteration of the original records shall be allowed.

(f). Records shall be made available for inspection by the Association on or before the tenth working day subsequent to receipt by the Association of the written request for inspection. This time frame may be extended by request of the unit owner. The Association shall notify the unit owner (by telephone, email, fax, in person, or by letter), that the records are available and the time, date, and place for such inspection.

(g). Inspections shall be made only during office hours on days the Association office is open, or as otherwise designated by the Manager or Secretary. Inspections shall not exceed, in the aggregate, 8 hours per owner per calendar month.

(h). If a unit owner desires to obtain a copy of any record, the unit owner shall designate in writing which record is desired, or during an inspection the Owner may designate such record by use of a tab or clip upon the pages desired. Any written request shall designate the specific record or portion thereof. Copies of the record(s) shall be available within ten working days of receipt of the request. In the event the above referenced time frame is impracticable due to the voluminous nature or condition of the records, then copies will be made available as soon as is practical. As an alternative, the Owner

may make their own copies during the inspection by use of a smart phone or similar Owner device. There shall be no charge for copies made by an Owner using such a device.

(i) A unit owner shall pay twenty-five cents (25 cents) per page for regular or legal sized photocopies made by or on behalf of the Association, payable in cash or by personal check, at the time the copies are delivered; provided however, payment in advance of copying may be required by the Secretary or Manager in their discretion, taking into account such factors as the amount of the copying charge, the payment record of an Owner, and other relevant factors.

6.4 MANNER OF INSPECTION

(a). No request for inspection or copying shall be made in order to harass any unit owner, resident or Association agent, officer, director or employee.

(b) All persons inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the Association office or office where the records are otherwise inspected or copied. The Association office, or office of inspection, shall assign one staff person to assist in the inspection and all requests for further assistance and copying during inspection shall be directed only to that staff person.

(c) The Association shall maintain a log detailing:

- The date of receipt of the written request for inspection
- The name of the requesting party
- The requested records
- The date the owner was notified of the availability of the records
- The date the records were made available for inspection or copying
- The date of actual inspection or copying
- The signature of the unit owner acknowledging receipt or access to the records. Every person inspecting or receiving copies of records shall sign said log or a comparable receipt prior to inspection or receipt of copies.

6.5. ENFORCEMENT OF INSPECTION AND COPYING RULES

(a). Any violation of these rules shall cause the immediate suspension of the inspection or copying until such time as the violator agrees in writing to comply herewith.

(b). Any requests for inspection or copying not complying with these rules shall not be honored. The Association shall indicate in writing the nature of the non-compliance and transmit same to the requesting party within ten working days subsequent to receipt of the written request from the unit owner. Any verbal requests for inspection or copying may be responded to at the time by the Association representative notifying the requesting person of the existence of these rules and pointing out the necessity of complying herewith.

(c). The Board of Directors may take any available legal action to enforce these rules, including the levy of fines.

ARTICLE VII RULES REGARDING OWNER INQUIRIES

7.1 PURPOSE -This rule is adopted to regulate the frequency and handling of "inquiries" from unit owners as that term is defined under Section 718.112(2)(a)(2), Florida Statutes.

7.2 FREQUENCY - A unit owner may submit no more than one inquiry in any 30-day period. Any additional inquiry or inquiries received by the Association within the same 30-day period shall be carried over to the next 30-day period, or periods, as applicable, and handled as provided herein.

7.3 RESPONSE - Per the referenced statute, within 30 days of receipt of a written inquiry, delivered by certified mail, the Association shall (1) provide a substantive response, (2) notify the inquirer that the Association has requested a legal opinion from its counsel, in which event the Association shall provide the inquirer with a substantive response no later than 60 days after receipt of the inquiry, or (3) notify the inquirer that the Association has requested advice from the Division of Florida Condominiums, Timeshares, and Mobile Homes, in which event the Association shall provide a substantive response to the inquirer within 10 days of receipt of advice from the Division.

7.4 LOG -The Association shall keep a log containing the following information for each certified mail inquiry: date of receipt, name of inquirer, date of first response, date of receipt of advice from counsel or Division, as applicable, and date of final response. Copies of all inquiries and responses shall be retained for a period of not less than 7 years.

ARTICLE VIII RULES REGARDING UNIT OWNER PARTICIPATION AT ASSOCIATION MEETINGS

8.1 BOARD AND COMMITTEE MEETINGS

(a) Board and Committee Meetings Defined.

(1)."Meeting of the Board of Directors" is hereby defined as a quorum of Directors gathered to discuss official Association business.

(2)."Meeting of a Committee" is hereby defined as a quorum of committee members gathered to discuss the official business of the committee as set forth in the resolution creating the committee.

(b) Attendance at Board and Committee Meetings. Every unit owner shall have the right to attend Board of Director and committee meetings except as may be provided by law. No person other than a unit owner, including but not limited to persons named as agent under a power of attorney executed by a unit owner, may be permitted to attend such meetings, except for persons invited or permitted to attend by the Board or Committee.

(c) Participation at Meetings.

(1). Every unit owner shall have the right to participate in meetings of the Board of Directors, and committees to the extent required and permissible under applicable law, subject to the following rules

(2). Statements by unit owners at meetings shall be restricted solely to agenda items. No other statements shall be permitted except as may be authorized by the chairperson of the Board or a committee, in their sole discretion.

(3). A unit owner may speak only once on each agenda item and the owner's statement shall not exceed three minutes. The chairperson of the meeting shall give the floor to any unit owner desiring to speak subsequent to the calling of the agenda item and prior to the discussion and vote of the Board or committee upon the agenda item. After each owner has had an opportunity to speak, the chairperson shall announce that owner statements are concluded thereby ending owner discussion on that agenda item.

(4). Unit owners may not make or second motions, may not participate in discussions after owner discussion is concluded on that subject, and may not vote.

8.2 UNIT OWNER MEETINGS

(a) Unit Owner Meeting Defined. "Meeting of the unit owners" is defined as a quorum of unit owners gathered to discuss official Association business.

(b) Attendance and Participation. Unit owners shall have the right to attend and speak at meetings subject to the following rules. No person other than a unit owner may be permitted to attend such meetings, including by not limited to persons named as agent under a power of attorney executed by a unit owner, except for persons invited or permitted to attend by the Board or Committee. Notwithstanding the foregoing, an owner may designate a family member residing in their unit as their attorney-in-fact who may attend Association meetings and vote on all matters except for the election of directors.

(1). Statements by unit owners, at meetings shall be restricted solely to agenda items and other matters that may properly come before a unit owner meeting.

(2). A unit owner will be permitted to speak only once on each agenda item, or any other topic properly before the membership, and the owner's statement shall not exceed three minutes. The chairperson of the meeting shall open the floor to unit owner statements subsequent to the calling of the agenda item, and prior to the vote of the owners upon the agenda item.

8.3 ROBERTS RULES OF ORDER (LATEST EDITION) Shall be applicable to and govern all Association meetings when not in conflict with the Declaration of Condominium, the Article of Incorporation and Bylaws of the Association, or rules, policies and procedures adopted from time to time by the Board, but the failure to comply with Roberts Rules shall not invalidate an otherwise valid act of the Association..

8.4 TAPE RECORDING OR VIDEOTAPING OF BOARD, COMMITTEE AND UNIT OWNER MEETINGS -A. Any unit owner may tape record or videotape (collectively referred to as "record") a Board, Committee or Unit Owner meeting subject to the following rules.

(a) Any audio or video equipment must be assembled and placed in position not less than 15 minutes prior to the scheduled time for commencement of the meeting unless the equipment is handheld and small in size. The Association may direct the location to be used for this purpose which shall allow for effective recording by the owner while preserving the rights of other owners to observe, hear, and participate at the meeting with minimal distraction.

(b) No equipment shall produce distracting sound or light emissions.

(c) No person may move about the meeting room to facilitate the recording.

(d) Only the unit owner, or another person otherwise permitted to attend the meeting, may operate the equipment. No other person may be invited by a unit owner to the meeting to operate the equipment or otherwise assist in the recording.

(e) Any unit owner wishing to record a meeting must give 48 hours advance to the Board or Management Company. Any unit owner who records a meeting does so based upon the understanding and condition that they must make an unedited copy of their audio or video tape available within thirty days after the meeting to the Association, if requested by the Association and at Association expense.

(f) No recording may be posted, shared or otherwise placed on the Internet or any social media site, including but not limited to Facebook, Instagram, YouTube, and others.

8.5 ENFORCEMENT OF MEETING RULES

(a). Ejection.

(1). Any person not authorized by law to attend a meeting shall be prohibited from attending the meeting or ejected therefrom.

(2). Any unit owner who fails to comply with these rules shall be subject to ejection in the sole discretion of the chairman. The chairman shall give any non-complying person one warning regarding ejection and thereafter may call for immediate ejection of that person, and the removal of any of their equipment.

(b). Legal Action.

The Board of Directors may take whatever action which is appropriate at law or in equity against any person who fails to comply with these rules.

ARTICLE IX PROCEDURES TO LEVY AND IMPOSE FINES OR SUSPENSIONS FOR VIOLATIONS OF GOVERNING DOCUMENTS

9.1 THE LAW Fining authority is governed by Section 718.303(3), Florida Statutes, and Section 6(m) of the Bylaws, which provides that the Association may levy a fine against a member for violations of the Declaration, Bylaws, or rules and regulations. (If you do not have a copy of the statute, the statute can be reviewed and downloaded from the website of the Florida Legislature: www.leg.state.fl.us).

A fine may not exceed \$100.00 per violation, provided that fine may be levied on a per-diem basis for a continuing violation. The maximum aggregate fine of \$1,000.00.

The same statute and Section 6(n) of the Bylaws authorizes the Association to suspend, for a reasonable period of time, the right of a unit owner, or a unit owner's tenant, guest, or invitee, to use common elements and facilities for the failure of the owner of the unit or its occupant, licensee, or invitee to comply with any provision of the Declaration, Bylaws, or rules and regulations. A suspension may not apply to that portion of common elements used to provide access or utility service to the unit, elevators, parking spaces, or to limited common elements reserved for the exclusive use of the unit. (Note that suspensions may also be imposed if an owner is more than 90 days delinquent in the payment of a monetary obligation to the Association, which is different and does not require the due process hearing discussed below).

9.2 LEVY OF FINE OR SUSPENSION The Board has the authority to levy a fine for a violation, and an additional fine for each day of a continuing violation, or to suspend use rights. The levy of a fine(s) or suspension should be included as an agenda item and addressed at a Board meeting for which notice is posted no less than 48 hours in advance. It is not necessary to provide notice to the owner but it is recommended as the Board meeting may be an opportunity to resolve the matter before the levy of a fine or suspension.

9.3 IMPOSITION of Fine or Suspension After the levy of a fine or suspension, the Board must schedule and hold a hearing before an impartial Hearing Committee before imposing the fine or suspension. The Board appoints the members of the Hearing Committee, which must consist of at least three unit owners. Hearing committee members may not be board members, officers, employees or the spouse, parent, child, brother, or sister of an officer, board member or employee.

9.4 PROCEDURE FOR CONDUCTION THE HEARING

(a) It is always best to determine if a violation can be remedied without punitive action. A fine may not be appropriate for a first-time violator.

(b) The Board should select a date, time, and place for the hearing approximately 30-45 days away.

If the Association does not have a standing Hearing Committee, the Board should meet and duly appoint a Hearing Committee (this should be done in advance of the fining hearing).

(c) If the Association does not have a standing Hearing Committee, the Board should meet and duly appoint a Hearing Committee (this should be done in advance of the fining hearing).

(d) The Board should prepare a list of alleged violations, including the nature of the alleged offenses, and the approximate dates, times, and places where same occurred. The Association should send this information (including citation to sections of the documents violated) to the alleged violator, along with notice of the date, time, and place of the hearing. Also, the notice should advise the alleged violator of his or her right to cross-examine witnesses, present witnesses and otherwise contest the enforcement.

(e) The next step is to mail or deliver the notice of the fining hearing on all record owners of the unit according to the deed. The notice must be mailed or delivered to the alleged violator at least 14 days in advance of the hearing by regular first class postal delivery. If the residence is rented, you may, but are not obligated to, provide a copy of the notice to the tenant.

(f) At least 48 hours prior to the fining hearing, a notice of the hearing must be posted in the statutorily prescribed location. The fining hearing is open to unit owner observation and comments.

(g) A quorum of the Hearing Committee must be present at the hearing. The Hearing Committee should appoint a chair and conduct the meeting. A representative of the Association should present its case to support the alleged violations and the need to levy a fine or suspension. The unit owner, or a person designated by the unit owner to appear on the owner's behalf, is permitted to cross-examine witnesses, ask questions, call witnesses, introduce documents, and otherwise defend the allegations. The members of the Hearing Committee may ask questions of either the Board representative, the alleged violator, the unit owner, or any of the persons who presented evidence or testified. The Hearing Committee should specifically ask the unit owner or the owner's representative if he or she desires to present further testimony or evidence. Once the evidentiary portion of the hearing is concluded, the Hearing Committee should vote on the fine or suspension. The Hearing Committee, by majority vote, must agree with the fine or suspension. In other words, it has a "veto" right over the Board's decision. The Hearing Committee does not have the authority to increase or decrease the proposed fine or suspension: it only has authority to decide if the fine(s) or suspension levied by the Board may be imposed.

(h) If a fine has been levied and approved by the Hearing Committee, the fine shall be due five (5) days after the date of the Hearing Committee meeting at which the fine was imposed. Notice of the levy and due date of the fine shall be reduced to writing and delivered to the owners of record.

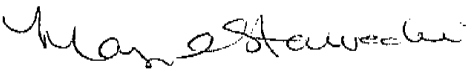
(i) If a suspension has been approved by the Hearing Committee, the terms and length of the suspension should be reduced to writing and transmitted to the owners of record, and in cases where tenant/guest use rights are also suspended, also to those persons.

(j) Once a fine is levied, if not paid, it must be collected through filing a small claims court action, since a fine cannot become a lien against the unit.

(k) If the Association is required to take the unit owner to court to recover a fine, the Association is also entitled to recover the attorney's fees that it incurs in collecting the fine. Although the amount of attorney's fees may often exceed the amount of the fine, the court is obligated by law to award a reasonable attorney's fee to the prevailing party.

The foregoing were adopted as the Rules and Regulations of Island Park Condominium Owners Association, Inc., a condominium corporation not-for profit under the laws of the State of Florida at a meeting of its Board of Directors on

ISLAND PARK CONDOMINIUM OWNERS' ASSOCIATION, INC.

By:  25 Jan 2023

President, Marilyn Stawecki Approved and Dated 20 December 2022.

By:

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Vice-President, Troy Gager Approved and Dated 20 December 2022