

**Village Woods Condominium Association, Inc.**  
**Board of Directors Meeting**  
**March 11, 2013**

**Call to Order** - The meeting was called to order at 10:00 a.m. at the Beacon Woods Civic Center.

**Calling of the Roll** - The roll was called and Directors present were: Dan Brown, President, Bob Lehmann, Treasurer, Jim Beebe, Vice President, Rick Lauder, Secretary and Bob Abraham, Director. Tina Schaub with Management & Associates acted as Recording Secretary.

**Establish Quorum** – Quorum was established.

**Reading and Disposition of Unapproved Minutes** – Those being the Board of Directors Meeting minutes from the January 14, 2013 *it was,*

**ON MOTION:** Duly made by Jim Beebe seconded by Bob Lehmann and carried unanimously.

**RESOLVE:** To approve the Board meeting minutes, as read.

**Officer's Report**

Dan Brown reminded residents of the change of date for the November meeting. Dan also stated that the association would no longer be using a handyman, the installation of sand for a wash out, the process of hiring a new roofer and estimates being received for the sidewalks.

Rick Lauder stated that the minutes from 1983 to the present is now being digitized and only has a few months missing from 2005.

**Treasurer's Report** – Bob Lehmann

The Treasurer's report is attached hereto and incorporated herein as part of these meeting minutes.

**Manager's Report** – Attached

**Committee Reports** – None

Dan stated that with Lee moving, the association is in need of volunteers for both the Welcome and Landscape Committees.

**Old Business** – None

**New Business**

- Security Signs – Jim read the new policy statement for security signs and opened the floor for questions. After a brief discussion *it was,*

**ON MOTION:** Duly made by Bob Lehmann, seconded by Rick Lauder and carried unanimously,

**RESOLVE:** To approve the Security Signs policy. A copy of which is attached hereto.

- Compliance Committee – Rick discussed and read the Resolution of the Board to establish a fine/suspension policy and committee and *it was,*

**ON MOTION:** Duly made by Rick Lauder, seconded by Bob Lehmann and carried unanimously.

**RESOLVE:** To approve and establish the Compliance Committee. A copy of which Resolution is attached hereto.

**ON MOTION:** Duly made by Dan Brown, seconded by Bob Lehmann and carried unanimously.

**RESOLVE:** To appoint Robert Schigotzki Jan Genge and Peg Heck to the Compliance Committee.

**New Business - Continued**

- Resolution regarding 12515 Dearborn Drive – Rick Lauder discussed the violations of the unit, including the tenant not being 55 years of age and having two (2) pets. Rick read the resolution to set a Fine for the owner and the occupant and after a brief discussion ***it was,***

**ON MOTION:** Duly made by Rick Lauder, seconded by Bob Lehmann and carried unanimously.

**RESOLVE:** To approve the resolution and to levy a Fine against the owner and the occupant starting March 20, 2013 if the tenant does not vacate the unit, according to the provisions in the Resolution attached hereto.

The floor was open and with there being no further business to come before the Board ***it was,***

**ON MOTION:** Duly made by Jim Beebe, seconded by Bob Lehmann and carried unanimously.

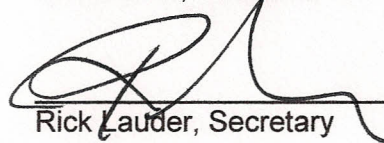
**RESOLVE:** To adjourn the meeting at 11:00 a.m.

Submitted by:

Approved by:

\_\_\_\_\_  
Tina Schaub, LCAM  
Management & Associates, Inc.

\_\_\_\_\_  
Dan Brown, President

  
\_\_\_\_\_  
Rick Lauder, Secretary

**VILLAGE WOODS CONDOMINIUMS  
MANAGER'S REPORT  
March 11, 2013**

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**OPERATIONS**

Weekly visits are running smoothly and checks continue to be addressed and signed weekly.

Rick continues to email the Board weekly reports of the work orders and service requests.

The following have received letters –

7732 Danube Drive – regarding a recliner – closed

12434 Dearborn Drive – concerning the trimming of a bougainvillea

12525 Dearborn Drive – concerning payment – account is current

12515 Dearborn Drive – regarding tenant and dogs

12543 Dearborn Drive – concerning tenant

Per the Board, I have contacted the attorney concerning the eviction of a tenant for noncompliance.

Per the Board, I have contacted the attorney for a lease agreement for a unit that was recently acquired by the Association. ✓

7727 Danube →

Several violation letters have gone out to residents after a recent walk through the association. ✓

Submitted by Tina Schaub  
Association Manager

RL

**VILLAGE WOODS CONDOMINIUM ASSOC**  
**TREASURER'S REPORT**  
**YTD AS OF FEB 28, 2013**

**Assets**

Operating Funds:	\$247,887.84	
Reserve Funds:	<u>\$420,232.13</u>	
Total Assets		\$668,119.97

**Liabilities & Equity**

**Liabilities - Operating**

Accounts Payable:	\$807.27	
Pre-Paid Maint Fees:	<u>\$26,241.30</u>	
<u>Operarating Total</u>		\$27,048.57

**Equity - Fund Balances**

Oper. Fund-prior years:	\$210,209.80	
Oper. Fund-current year:	<u>\$10,629.47</u>	
<u>Equity Total</u>		\$220,839.27

**Liabilities Funds - Reserve Fund Bal.**

Total Reserve funds:	<u>\$420,232.13</u>	
Total Liabilities & Equity		\$668,119.97
		=====

**YTD Income & Expense**

	<u>Actual</u>
Total Revenues	\$81,171.52
<u>Total Expenses</u>	<u>\$70,542.05</u>
<u>Net Excess</u>	<u>\$10,629.47</u>
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Submitted by,

**Robert Lehmann, Treasurer**

**APPROVED**

*March 11, 2013*




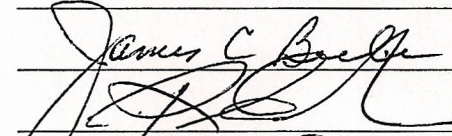
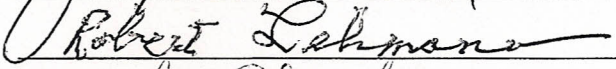
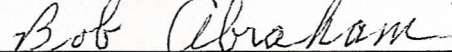
Village Woods Condominium Association, Inc.  
Policy Statement

Signs – Security Company

1. Permitted
  - a. The installation of a security company sign is permitted if you have a valid service contract with a security company.
  - b. Units with existing signs as March 11, 2013 shall submit an application for approval to establish a record of all such signs.
2. Approval Required
  - a. Installation of a security company sign requires prior, written approval of the Board of Directors.
  - b. Village Woods Condominium Association, Inc. requires that unit owners complete an ACR form to request installation of a security company sign. Documentation of a valid service contract must be provided at time approval is requested and every January thereafter.
  - c. Sign must represent the contracted security company. Generic, non-company signs are not permitted.
3. Size
  - a. Security company signs shall not exceed **108 square inches** in area as measured by multiplying width times height.
4. Installation
  - a. Metal sign post must be used. Wood stakes tend to draw termites.
  - b. Preferably, the sign should be installed to either side of the front sidewalk, next to the hedges. However, if this is not possible, it may be installed in front of the hedges.
5. Annual Renewal
  - a. Documentation of a valid service contract must be provided at time approval is requested and every January thereafter.

Adopted March 11, 2013

President: Dan Brown  
Vice President: Jim Beebe  
Secretary: Rick Lauder  
Treasurer: Bob Lehmann  
Director: Bob Abraham

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_



J. Beebe 3/10/2013

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
VILLAGE WOODS CONDOMINIUM ASSOCIATION INC.**

**TO ESTABLISH A COMPLIANCE COMMITTEE**

**WHEREAS** Florida Statutes provide:

718.303 Obligations of owners and occupants; remedies.—

(3) The association may levy reasonable fines for the failure of the owner of the unit or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. A fine may not become a lien against a unit. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing. However, the fine may not exceed \$100 per violation, or \$1,000 in the aggregate.

(a) An association may suspend, for a reasonable period of time, the right of a unit owner, or a unit owner's tenant, guest, or invitee, to use the common elements, common facilities, or any other association property for failure to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association.

(b) A fine or suspension may not be imposed unless the association first provides at least 14 days' written notice and an opportunity for a hearing to the unit owner and, if applicable, its occupant, licensee, or invitee. The hearing must be held before a committee of other unit owners who are neither board members nor persons residing in a board member's household. If the committee does not agree, the fine or suspension may not be imposed.

**AND WHEREAS** Association wishes to establish a three person committee of other unit owners who are neither board members nor persons residing in a board member's household, which committee will hold meetings from time to time as requested by the Board of Directors, to determine if the committee agrees or does not agree with a fine or suspension levied or imposed by the Association.



**THEREFORE BE IT RESOLVED** that the Association establish a Compliance Committee of three unit owners who are neither board members nor persons residing in a board member's household, which persons, with their consent, shall be appointed by the Board of Directors, to serve on the said committee for a term of one year following their appointment, unless they shall sooner resign their position, in which case another person may be appointed in their place.

**AND BE IT FURTHER RESOLVED** that the Board of Directors request that the Compliance Committee hold meetings from time to time when necessary, in accordance with the attached guidelines, to determine if the committee agrees or does not agree with a fine or suspension levied or imposed by the Association.

March 11, 2013

A handwritten signature in black ink, appearing to be the initials 'RL' with a flourish extending to the right.

## **Village Woods Condominium Association Inc.**

### **Compliance Committee (GUIDELINES)**

#### **Purpose**

The Compliance Committee is established to comply with Florida Statute 718.303 and will conduct the necessary hearing regarding any alleged violation by an owner, tenant, invitee, licensee, guest, contractor or occupant of Village Woods Condominium Association's Declaration, Bylaws, or Rules and Regulations.

The Compliance Committee will advise the Village Woods Condominium Association's Board of Directors as to whether a levy of a fine and/or suspension of rights to the violator as determined by the Board of Directors should be upheld.

Upon a written request from the Board of Directors the Compliance Committee shall schedule hearings and make decisions at such hearing as to whether or not to agree with the decision determined by the Board to be in violation, and the imposition of the fine or suspension of rights.

#### **Compliance Committee Membership**

Three (3) volunteer unit owners of the Village Woods Condominium Association will be appointed by the Board of Directors to serve on the Compliance Committee. The unit owners will not be Board members nor persons residing in a Board member's household as per Florida Statute 718.303.

The unit owners appointed shall serve on the said committee for a term of one year following their appointment, unless they shall sooner resign their position, in which case another person may be appointed in their place.

#### **Procedures**

1. Every **Unit Owner** has the obligation to abide by the Village Woods Condominium Association's Declaration, By Laws, Articles of Incorporation, Rules and Regulations, or any other agreement, document, instrument, or provision mandated by the Board of Directors.
2. The **Board of Directors** will vote on whether a NOTICE OF LEVY OF FINE AND/OR SUSPENSION OF USE RIGHTS will be issued to a violator.





3. If the motion is passed, Notice of the violation and the levy of a fine or suspension shall be served via certified mail to the unit owner and/or other violator. The notice shall provide the Unit Owner and/or violator not less than fourteen (14) days written notice of a Compliance Committee hearing date.
4. A copy of the Notice of the violation and any other materials relied upon by the Board of Directors shall be provided to the Compliance Committee.
5. The **Unit Owner** and/or violator shall have the right to attend the hearing and to respond to any material considered by the Compliance Committee. The Unit Owner and/or violator also has the right to produce evidence on his/her own behalf; to provide written and oral argument on all issues involved, and shall have the opportunity to review, challenge, and respond to any material considered in the Notice of Levy of Fine and/or Suspension of Use Rights.
6. At the hearing, the **Compliance Committee** shall conduct a reasonable inquiry to determine whether the alleged violation in fact occurred and if the fine imposed is appropriate. The Compliance Committee shall ratify the fine or suspension of use of rights or, if the Compliance Committee does not agree with the fine or suspension of use rights, it may recommend to reduce or eliminate the fine or suspension of use rights.
7. If a **Unit Owner** or violator fails to attend the Compliance Committee Hearing, the party will be deemed to have waived their right to attend the hearing and the fine or suspension of use rights, if any, will be automatically imposed, unless the **Compliance Committee** does not agree with the fine or suspension of use rights, it may recommend to reduce or eliminate the fine or suspension of use rights.
8. The Compliance Committee will provide the Board of Directors with a written notice of its decision following the hearing. (sample Form attached)
9. The **Board of Directors** will confirm in writing to the unit owner and/or violator via regular pre-paid mail at their last known address, that the fine or suspension of use rights has been agreed to or has not been agreed to by the Compliance Committee.

RL

**HEARING DECISION OF THE COMPLIANCE COMMITTEE**

**VILLAGE WOODS CONDOMINIUM ASSOCIATION, INC.**

After being apprised of the facts and circumstances and hearing any evidence and arguments presented on behalf of the Unit Owner and/or violator, if any: regarding

Location/Address: \_\_\_\_\_

Description of Violation: \_\_\_\_\_

\_\_\_\_\_ **The Committee does not approve any fine or suspension of use Rights**

\_\_\_\_\_ **The Committee approves the following fine:**

\$ \_\_\_\_\_ per day for \_\_\_\_\_ days for a TOTAL FINE of \$ \_\_\_\_\_

\_\_\_\_\_ **The Committee approves the following suspension of use rights:**

For \_\_\_\_\_ days.

Sign: \_\_\_\_\_ Agree  
Print: \_\_\_\_\_ Disagree  
Member, Compliance Committee

Sign: \_\_\_\_\_ Agree  
Print: \_\_\_\_\_ Disagree  
Member, Compliance Committee

Sign: \_\_\_\_\_ Agree  
Print: \_\_\_\_\_ Disagree  
Member, Compliance Committee

**THE HEARING WAS HELD ON** \_\_\_\_\_  
(date)



**RESOLUTION OF THE BOARD OF DIRECTORS OF  
VILLAGE WOODS CONDOMINIUM ASSOCIATION INC.**

WHEREAS the Association's Declaration provides that:

*"..... at least one person fifty-five (55) years of age or older must be an occupant of each unit while any person occupies the said unit. Persons under the age of fifty-five (55) and more than sixteen (16) years of age may occupy and reside in a unit as long as at least one of the occupants is fifty-five (55) years of age or older. Notwithstanding the language contained above, no person under the age of sixteen (16) can be a permanent resident. "Permanent" means any person who shall occupy and/or use a unit for thirty (30) or more consecutive calendar days; or for forty-five (45) or more non-consecutive calendar days in any three hundred sixty-five (365) day period , which period shall commence with such person's first day of occupancy or use of such unit."*

AND WHEREAS Joanne Coco, the unit owner of 12515 Dearborn Dr. has allowed one Elizabeth Cone, (who has not attained the age of 55 years), to occupy the said unit for a period of more than 30 days, in contravention of the Association's Declaration;

AND WHEREAS Florida Statutes provide:

718.303 Obligations of owners and occupants; remedies.—

(1) Each unit owner, each tenant and other invitee, and each association is governed by, and must comply with the provisions of, this chapter, the declaration, the documents creating the association, and the association bylaws which shall be deemed expressly incorporated into any lease of a unit. Actions for damages or for injunctive relief, or both, for failure to comply with these provisions may be brought by the association or by a unit owner against:

- (a) The association.
- (b) A unit owner.
- (c) Directors designated by the developer, for actions taken by them before control of the association is assumed by unit owners other than the developer.
- (d) Any director who willfully and knowingly fails to comply with these provisions.
- (e) Any tenant leasing a unit, and any other invitee occupying a unit.



(3) The association may levy reasonable fines for the failure of the owner of the unit or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. A fine may not become a lien against a unit. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing. However, the fine may not exceed \$100 per violation, or \$1,000 in the aggregate.

.....  
(b) A fine or suspension may not be imposed unless the association first provides at least 14 days' written notice and an opportunity for a hearing to the unit owner and, if applicable, its occupant, licensee, or invitee. The hearing must be held before a committee of other unit owners who are neither board members nor persons residing in a board member's household. If the committee does not agree, the fine or suspension may not be imposed.

**THEREFORE BE IT RESOLVED** that the Association levy a fine, which fine may hereafter be approved or disapproved by the Compliance Committee, against each of the unit owner (Joanne Coco), and the occupant (Elizabeth Cone) in the sum of \$100.00 per day, for each day after March 20, 2013 (to a maximum of \$1,000.00), that the said unit continues to be occupied in contravention of the Association's Declaration.

**AND BE IT FURTHER RESOLVED** the matter of the aforesaid fine levy be reviewed at a hearing of the Compliance Committee, after 14 days prior notice to the unit owner (Joanne Coco), and the occupant (Elizabeth Cone), so the Compliance Committee can determine if it agrees or disagrees with the fine levy.

**AND BE IT FURTHER RESOLVED** that if the said unit continues to be occupied after March 30, 2013 in contravention of the Association's Declaration that the matter of enforcement of the terms of the Association's Declaration with respect to 12515 Dearborn Dr. be directed to the Association's Attorney to pursue all legal remedies available.

March 11, 2013

A handwritten signature in black ink, appearing to be the initials 'R' followed by a flourish.