

# Treasure Island Country Club

## Covenant Enforcement Policy and Fine Schedule

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1. **Enforcement:** The Treasure Island Country Club Board has the authority, per the Declaration, to assess monetary fines and penalties to assure timely and consistent compliance with the Declaration of Covenants, Conditions, Easements and Restrictions or any other governing document of Treasure Island Country Club. Violations may result in a fine assessment according to the schedule in Section 3(b). Failure to pay any portion of the assessed fine will result in action by the Treasure Island Country Club Board or its legal representatives.
  - a. **Due Process:** The following three separate actions collectively comprise "Due Process"; (1) a written description of the violation must be received by the Treasure Island Country Club Board or its legal representatives; (2) a notice of the reported violation must be provided to all parties involved; (3) an opportunity for all parties involved to be heard.
  - b. **Report of Violation:** A report of violation must be made in writing and delivered, mailed, faxed or emailed to the Association Board or its legal representatives. It must include contact names, phone numbers, and addresses, plus the specific nature of the violation(s), with date, time, and address of the home in violation. Verbal or anonymous reports will not be considered and do not initiate Due Process.
  - c. **Notice of Violation:** Any homeowner found to be in violation of the Association's governing documents will be given written notice of the reported violation. The homeowner may appeal the notice and request a hearing to offer a defense of the violations and/or imposition of fines.
  - d. **Request of Appeal:** The homeowner must deliver, mail, fax or email a written Request of Appeal to the Association within ten (10) calendar days following the notice of violation. The Appeal Request must contain the following information:
    - Homeowner's name and address
    - Homeowner's reason and basis for an appeal
    - A copy of all supporting documentation
    - The name of any attending attorneys, witness or other collaborating guests
    - The homeowner shall sign and date the request for appeal

If the homeowner in violation offers no contest to the claim and takes immediate and effective action to rectify the situation, no hearing will be required, however the fee schedule outlined below will be enforced at the discretion of the Treasure Island Country Club Board or its' legal representatives. Documentation of the claim and its resolution status will be maintained by the Treasure Island Country Club or its legal representatives for future reference.

- e. **Hearing Procedure:**
  - i. Upon receipt of a Request of Appeal, a hearing shall be scheduled to determine if there was a violation. The Hearing Committee shall consist of three (3) members (either from the Board, the Treasure Island Country Club membership, or other individuals appointed by the Board.)
  - ii. The Hearing Committee shall mail or deliver notice to the homeowner specifying the hearing date, time, and location of hearing, which is to be determined by the Hearing Committee.
  - iii. The Hearing Committee will permit the appealing homeowner up to fifteen (15) minutes to explain the circumstances of the appeal and provide ground as to why the violation and/or fine should be reduced, modified, or waived.
  - iv. At the conclusion of the presentation, the Hearing Committee will adjourn to review the circumstances of the Request of Appeal as presented.
  - v. The homeowner will be notified in writing of the Board's decision within fifteen (15) calendar days following the hearing.
  - vi. If the Hearing Committee finds in favor of the appealing homeowner, it shall advise the homeowner as to whether the violation and/or fines originally imposed are reduced, modified, or waived.
  - vii. If the Hearing Committee determines that the owner's explanation or defense presented at the hearing was inadequate or otherwise failed to justify the reduction, modification, or waiver of the violation and/or fines, the owner will be notified, in which case the fines imposed will remain due to the Association until paid in full, regardless of whether the violation has since been removed or corrected. In any event, if the Hearing Committee finds against the homeowner, the fines will continue to accrue until full and adequate compliance occurs by the homeowner.

2. **Timely Owner Action**

- a. Action required of the owner to correct the cause of any Covenant infraction will be immediate.
- b. If the owner fails to comply and the Covenant violation still exists after the time or date specified in the written notice of violation, fine assessments will be applied to the account.
- c. Should the owner request a hearing, corrective action should occur within a timely basis as directed by the hearing committee's decision.

3. **Schedule of Fines**

- a. Fines may be assessed by the Association against any owner and/or his/her unit, starting immediately after the notice period set forth below expires without the complete and total correction of the violation by owner within that period.
- b. The Fine Schedule for any Rules violation will be at the discretion of the Treasure Island County Club Board of Directors or its legal representatives, and made prior to, or at the Hearing Committee meeting. The current Fine Schedule is as follows:

Incident Occurrence	Fine Amount	Cure Period
Courtesy Notice	None	1. <b>Fifteen (15) days</b> , unless the violation involves an emergency timeline or circumstances.
Fine Warning	None	N <b>Fifteen (15) days</b> , unless the violation involves an emergency timeline or circumstances.
First Fine	\$50.00	<b>Fifteen (15) days</b> , unless the violation involves an emergency timeline or circumstances.
Second Fine	\$100.00	ii. <b>Fifteen (15) days</b> , unless the violation involves an emergency timeline or circumstances.
Subsequent Fines	\$150.00	iii. None. A monthly fine will be applied to the homeowners account until violation is fully resolved.  Unpaid accounts can be referred to a collection agency at the Treasure Island County Club Board's discretion.

- c. **Recurring Violations:** If the same violation occurs within a six (6) month period from the most recent notice sent to the homeowner, the new violation will be treated in accordance with the above policy and fines will be assessed where applicable.

This Covenant Enforcement Policy and Fine Schedule was adopted by Treasure Island Country Club Board of Directors on

01/30/2021

*Diana McCoy*  
Board President

8-12-21  
Date

*Kristen R. Hutton*  
Board Secretary

8/16/21  
Date