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Fines & Suspensions Procedure

8.1 **Fines and Suspensions.** The Association may levy fines against the Owner of a Unit, or its occupant, licensee or invitee who fails to comply with any provision of the Declaration of Condominium, Rules and Regulations or other condominium documents. Fines shall be in amounts deemed necessary by the Board to deter future violations, but in no event shall any fine exceed the maximum amount allowed by Section 718.303(3), Florida Statutes, as may be amended from time to time. The Association may also suspend, for a reasonable period of time, the right of the Owner of a Unit, or its occupant, licensee or invitee to use the Common Elements, common facilities, or any other Association property, for failure to comply with any provision of the Declaration of Condominium, Rules and Regulations or other condominium documents. Any suspension of use rights shall not apply to Limited Common Elements intended to be used only by the Unit, Common Elements needed to access the Unit, utility services provided to the Unit, parking spaces, or elevators. The procedure for imposing fines and/or suspensions shall be as follows:

(A) **Notice:** The party against whom the fine and/or suspension is sought to be levied shall be afforded an opportunity for hearing after reasonable written notice of not less than fourteen (14) days, and the notice shall include:

- (1) A statement of the date, time and place of the hearing;
- (2) A specific designation of the provisions of the Declaration, Bylaws or rules which are alleged to have been violated; and
- (3) The specific facts giving rise to the alleged violation(s).

(B) **Hearing:** At the hearing the party against whom the fine and/or or suspension may be levied shall have a reasonable opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved, and to review, challenge, and respond to any evidence or testimony presented by the Association. The hearing shall be conducted before a panel of at least three (3) Unit Owners appointed by the Board, none of whom may be a Board member or a person residing in a Board member's home. If a majority of the committee does not agree with the fine or suspension, it may not be levied.