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BRANDYWINE HOA RULES COMPLIANCE POLICY AND PROCEDURES

Brandywine was established in 1976 and continues to be one of the finest neighborhoods in the area. The overwhelming majority of members voluntarily adhere to the Brandywine Covenants and Restrictions, Development Guidelines, Board Rules and Volusia County ordinances with regularity and good spirit. However, from time to time, a member may need reminding about a violation. Typically, a single contact is sufficient to alleviate these situations. Unfortunately, there may be a resident who violates the rules and makes no apparent effort to comply. In order to maintain property values and the character of the community, the Brandywine Homeowners Association Board of Directors established procedures in accordance with Florida Statute 720.305 to remedy rules violations. The management company in partnership with the board will implement these procedures intended to deal with violations effectively and fairly for the benefit of all members.

Procedure

Specialty Management Company will have their Community Association Manager to complete monthly inspections in the community. There will also be “one-off” violations sent by the board and owners to the manager during the month if violations are seen in the community preferably with a picture included.

All violations noted during the monthly inspections will be documented. Face to face notification of a violation will be avoided. If the property is rented, the owner, the property manager, and the tenant will be contacted regarding a violation.

Initial Violation

A courtesy letter will be sent reminding the member of the specific violation(s), suggesting a remedy and requesting correction /compliance as soon as possible but no longer than thirty (30) days from date of the letter. *

Continuing Violation

A second notice letter will be sent if during the inspection in the following month the violation has not been cured or the owner has not contacted the manager with an action plan. The letter will state if the violation is not cured, the next step may include a referral to the HOA attorney. *

Unresolved Violation

If the violation continues unresolved after two violation letters have been sent, the Brandywine Board of Directors will attempt to resolve the matter. Possible options include but are not limited to:

- The Board of Directors will refer the violation to the HOA attorney. A letter from the attorney will serve as the third contact with the member. The member in violation will be responsible for paying the attorney fee set by the attorney.
- Mediation and injunction proceedings may be recommended by the attorney or the court. The member in violation will be responsible for paying assigned costs and fees.
- Unresolved violations will be noted on all estoppel forms completed for property sales.

Repeat/Recurring Violation: If the same violation occurs within 12 months, the compliance process will continue uninterrupted.

*The HOA Board of Directors has the authority to shorten the timeline or alter procedures to correct unsafe situations or violations requiring immediate attention. The Board may on rare occasion grant an extension for violation correction due to extenuating circumstances.