

## **APV Announces Creation of New Fining Committee**

At the Association of Poinciana Villages, the Board Members, administrative staff and your property management team are continually looking for ways to improve operations. It is our goal to make Poinciana one of the best places to live in Central Florida, with all of our residents proud to call Poinciana their home. One of the ways we ensure the beauty and enjoyment of our community is by making sure that all of our residents follow the guidelines laid out in the association's declarations, rules and the Design Control Board Criteria. These documents can be found on the APV website.

In the past, violations were identified by Community Service Department (CSD) representatives and multiple violation letters were sent to the homeowners alerting them of the issue. If after receipt of multiple letters the violation was still not corrected, it was then passed on to the association's attorney for action. This resulted in a significant cost that was absorbed by ALL homeowners.

After careful review and discussion of how to improve the procedure, a resolution was voted on and approved by the APV Master Board of Directors at the August 2018 Master Board Meeting to create a Fining Committee. Now, violations are identified by CSD representatives and multiple violation notices are sent to the homeowner. If after all letters are sent out the violation is still not corrected, it goes to the Master Board to recommend the homeowner be fined. The new Fining Committee, which is made up of three homeowners, will hold a hearing and can impose the fine. This hearing is the homeowner's opportunity to present evidence in their defense so the committee can review their case. Homeowners that receive a fine from APV's Board of Directors will be provided with at least 14 days written notice in advance of the hearing date.

During this hearing, after all of the evidence is presented, the Fining Committee will approve or disapprove any proposed fine in its entirety. The Committee may not modify or change the amount of the proposed fine. If a majority of the Fining Committee disapproves of a proposed fine then it may not be imposed. If approved, the cost of remedy is borne exclusively BY THE VIOLATOR.

"Prior to the creation of the Fining Committee, the homeowners who were in violation of the rules had very few repercussions, and the financial burden was put on the association," said Mark Maldonado, General Manager. "That simply did not make sense and the process was not working. Once the Master Board re-reviewed the procedure, the decision was made to create the Fining Committee and ultimately have a better way to enforce fines."

The Board of Directors may levy reasonable fines, not to exceed \$100 per violation, for each day of a continuing violation. The total amount of any fine will not exceed \$1,000.

After the fine is imposed, it is due. If the fine is not paid, it can be converted into an assessment with Board approval and will be reflected on the homeowner's account. APV will notify anyone whose fine has been approved that they have been fined, as well as the due date of the fine.

The Fining Committee is currently in place, saving the association thousands of dollars in legal fees related to covenant enforcement.