

**AMENDMENT TO THE BYLAWS OF
THE LANDINGS HOMEOWNERS ASSOCIATION, INC.**

**ARTICLE VI
POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

1. The Board of Directors shall have power

(h) To fine

i. In addition to the means of enforcement provided elsewhere herein, the Association shall have the right to assess fines against a member or member's guests, invitees or lessees, in the manner provided herein.

ii. The Board of Directors shall appoint a Covenants Enforcement Committee which committee may include members of the Board which shall be charged with determining whether there is probable cause to assert that a member or other persons is violating, or has violated, any of the provisions of the Declaration of Restrictions on Lots in the Landings, Unit One, the Articles of Incorporation, these Bylaws, or the rules and regulations of the Association. In the event the Covenants Enforcement Committee determines that such probable cause exists, it shall report same to the Board of Directors. The Covenants Enforcement Committee may contact the owner either in writing, by telephone or by personal appearance to request that remedial action be taken and to stipulate to a deadline for same.

iii. If no action is taken by the stipulated deadline, the Board of Directors or its designated agent shall thereupon provide written notice by regular U.S. Mail (not certified or registered) to the person alleged to be in violation, and the owner of the home which that person occupies, or to which that person is a guest, if that person is not the owner, of the specific nature of the alleged violation, including a statement setting forth the provisions of the subdivision documents allegedly violated and a short and plain statement of the matters asserted by the Association. The Notice shall allow the offending party a final opportunity to cure the violation and an agreement to not knowingly engage in the same violation in the future. Proof of such cure may be required by the Board of Directors. The Notice shall further specify, and it is hereby provided for an alternative procedure available only for first time violations and not for recurring violations, that in lieu of a hearing, the alleged violator or member may respond in writing to the Notice, within fourteen (14) days of its date, acknowledging that the violation or violations occurred as alleged and promising that the violation or violations will henceforth cease and will not recur. Such acknowledgment and promise and performance in accordance therewith, shall terminate further enforcement activity by the Association with regard to the violation. The Notice shall advise the offending party that in the event the offending party fails to cure the violation by the stipulated deadline provided in this second notice, the offending party is simultaneously advised that a fine has been proposed by the Board for failure to cure the violation, the amount of the fine to the date of the letter, the method of payment, and that the offending party has the right to a hearing before a hearing panel who will make the determination whether to levy the proposed fine. The date, time and location of the hearing may be

included in this Notice or sent under separate cover. No hearing may be held unless at least fourteen (14) days notice is given. Notice of the hearing shall be sent by regular U.S. Mail(not certified or registered). The Notice shall also specify, and it is hereby provided, that each recurrence of the alleged violation or each day during which the violation continues shall be deemed a separate offense, subject to a separate fine, not to exceed One Hundred (\$100.00) Dollars for each offense provided the total amount of fines shall not exceed Two Thousand Five Hundred (\$2,500.00) Dollars exclusive of interest, costs and attorney's fees.

iv. In accordance with Florida law, section 720.305(2), Fla. Stat., the hearing shall be conducted before at least three (3) non-board members who shall be appointed by the Board and who will constitute the Hearing Panel. None of the Hearing Panel members may be officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director or employee of the Association. The offending party shall have a reasonable opportunity to present evidence to the Hearing Panel. The Board of Directors or its agent may present evidence to the Hearing Panel. Any party to the Hearing may bring witnesses and may be represented by counsel. The decision of the Hearing Panel shall be final. The decision of the Hearing Panel shall be sent in writing to the offending party by regular U.S. mail (not certified or registered) to the address reflected in the Association records. No fine shall be levied unless a majority of the Hearing Panel agrees to the proposed fine.

v. If the Hearing Panel votes to approve a proposed fine, the fine pursuant to this section shall be assessed against a home which the violator occupied or was visiting at the time of the violation, whether or not the violator is an owner of that home, and shall be promptly paid to the Association by the owner of that home. The owner shall be liable for attorney's fees and costs incurred by the Association incident to the levy or collection of the fine, including appellate proceedings. The liability for attorney's fees shall be applicable if the Association attorney has been consulted on the matter for collection of the fine or any other ancillary issues related thereto and there is no requirement that a lien must be filed for the Association to be entitled to its attorney's fees. Unpaid fines may become a lien against the Owner's Lot and said lien may be foreclosed as set forth in the Association documents or as provided under Florida law, Chapter 720, Fla. Stat., as amended . The Association may also elect to institute legal proceedings by filing an action in the appropriate Court and it is hereby specifically recognized that the relief set forth herein does not exclude other remedies provided by law.

vi. Nothing herein shall be construed as a prohibition of or a limitation on the right of the Board of Directors to pursue other means to enforce the provisions of the various subdivision documents including but not limited to legal action for damages or injunctive relief. In the event such other means are pursued, the Association shall not be required to comply with the procedures and provisions of this Article.