

Hillcrest East 25, Inc.

Condominium Fines Committee Hearing Minutes: October 19, 2020

Call to Order: Hearing was called to order in the business office, room 105, by Margaret Lawson at 7:30 pm.

Committee Members Present: Margaret Lawson, Liliana Sarochar and Laura Kramer, who both attended telephonically.

Committee Members Absent: None

Hearing Summary:

To ensure the safety of the residents, and to comply with County and State orders, it was requested via the October 5, 2020 Fines Committee Hearing Agenda that unit owners attend the hearing via telephone rather than in person. The posted Agenda provided both the phone number and the conference call code to join the hearing telephonically.

Margaret Lawson called the hearing to order in accordance with the by-laws of the Association and Florida's Condominium Act.

Cindy Bridges, Association Board Secretary confirmed that she would represent the Board in the proceedings. Margaret Lawson asked if either the owner of unit 701 or a representative for the unit was present. With neither being present in person or telephonically, Ms. Lawson read the following items into the record:

1. The members of the Fine Committee are not related to the board and are totally independent.
2. Similar to an appeals court, the committee has the right to affirm or reject the board's decision on their proposed fines.
3. Fines may not exceed \$100 per violation or \$1,000 aggregate.
4. Unpaid fines become delinquent after 14 days.
5. Unit owners having fines delinquent in excess of 90 days may have them posted in the lobby. Additionally, owners and guests may be barred from using certain common areas and facilities of the building.
6. Fine amounts cannot be negotiated by the committee. The fines are either affirmed in the proposed amounts or rejected.

Ms. Lawson asked if the members of the committee have received a copy of the documentation supporting the board's allegations and if they have had an opportunity to review the material. The members of the committee each responded in the affirmative. Ms. Lawson asked if any member of the committee had any questions for the board and each committee member responded she did not.

Mrs. Bridges reviewed the documentation supporting the Board's allegation that the owner of unit 701 was notified multiple times since August 6, 2020 of the Association requirement to

provide proof of current homeowner insurance coverage for the unit. She stated that the owner of unit 701 was advised via e-mail dated August 6, 2020 that the insurance Policy Declaration Page on file in the business office expired effective July 17, 2020 and to provide proof of current insurance coverage within five days. On August 25, 2020, due to no response from the unit owner, a phone call was placed to the insurance carrier of record, who confirmed that insurance coverage for unit 701 lapsed on July 17, 2020. Mrs. Bridges stated that the unit owner was advised via e-mail dated August 25, 2020 to provide a copy of current homeowner insurance coverage without further delay. On September 17, 2020, a duly noticed meeting of the Board of Directors was convened and the vote to approve the proposal to recommend to the Fines Committee a fine of \$25 per day commencing July 17, 2020 for failure to furnish proof of current homeowner insurance coverage was unanimous, and a copy was sent to the Unit Owner's attorney on October 5, 2020. On October 5, 2020, the owner of unit 701 was provided with a copy of the notice of this hearing along with the supporting documentation. Mrs. Bridges stated that the Board of Directors of Hillcrest East 25 recommends a fine of \$25 per day commencing July 17, 2020, the date the homeowner's insurance policy lapsed. Mrs. Bridges also stated that Florida Statute provides for fines not to exceed \$100 per incident or an aggregate of \$1,000.

Ms. Lawson stated that the purpose of the hearing was to hear the unit owner's response to the fine the Board has proposed to levy for failure to provide valid proof of homeowner insurance for unit # 701.

Ms. Lawson stated that, because neither the unit owner nor a representative had come before the committee to respond, she made a motion for adjournment. The motion was seconded by Ms. Sarochar and the vote to adjourn the hearing was unanimous.

Hearing Adjourned: 7:35 pm.