

Administrative Policy Trasona East Neighborhood Association	
SUBJECT: Violation Hearing Committee	POLICY NO. TRE-2020-01
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PURPOSE

The Violation Hearing Committee (the “Committee”) is chartered in accordance with Florida Statute 720.305 for the conduction of hearings to address unresolved violations of the Declaration of Covenants, Conditions, Easements, Reservations and Restrictions (the “Declaration”) for the Trasona East Neighborhood Association (the “Association”).

COMPOSITION

1. The Committee shall consist of at least three (3) but not more than five (5) homeowners who are members of the Association and are appointed by the Board of Directors (the “Board”).
2. Members of the Committee must be owners of record but may not be seated on the Board, nor their spouse, parent, offspring, or sibling. Employees of the Association are ineligible to serve, as are their spouses, parents, offspring, or siblings.
3. Appointees shall be in good standing with the Association prior to appointment. Each member shall serve for a term of one (1) year with re-appointment to additional terms occurring automatically unless the seat is resigned, or the member removed at the discretion of the Board.
4. The committee shall elect a chairperson to serve as liaison between the Committee and the Board/Management. This member will serve as chair until such time as the position is resigned or they are removed by the Board.
5. The Committee shall serve at the discretion of the Board.

PROCEDURES

1. Pre-Hearing
 - a. As it falls upon the homeowner to request a hearing in front of the Committee, hearings will be scheduled as needed and at the convince of the Committee.
 - b. The Board/Management shall communicate the request from a homeowner to the chair of the Committee. The chair shall contact the members to determine no less than two dates (that will occur within thirty (30) days from the date of the request) and times (between the hours of 8:00 a.m. and 7:00 p.m.) that are convenient for the members. These dates and times shall be communicated to the homeowner.
 - c. If the homeowner is unable to attend either date, the Committee is under no obligation to reschedule but may do so at its own discretion.
 - d. The Committee may allow a homeowner who is unable to attend to appear by telephone, video conference or written statement. The homeowner may not send another person to represent them at the hearing.

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- e. Management will provide historical information on the matter to the Committee in advance of the hearing. Committee members should be familiar with the Declaration and use this document when guidance is required.

2. Hearings

- a. A quorum of the members is required to convene a hearing. Quorum is achieved with the presence of a simple majority of the appointed members at a hearing.
- b. Minutes of all hearings shall be kept in the Association records.
- c. The meeting may be recorded by either the Association or the homeowner. The Committee may set rules for video recordings.
- d. The chair will call the hearing to order, certify that a quorum is present and identify the homeowner and any others present.
- e. The Association representative will present a summary of the actions brought against the homeowner in the matter. Photographic and written evidence may be presented at this time. The Committee may question the Association representative.
- f. The homeowner will then present any witnesses, photographs or documentation to support their appeal. The Committee may question the homeowner or any witnesses who appear.
- g. The committee may then close the meeting for deliberations and a vote. A majority of the quorum present is required to uphold or dismiss.
- h. Following the vote, the Committee will re-open the hearing and announce the decision.
 - i. If the fine or suspension is upheld, the homeowner will have five (5) days to pay any amounts due. Suspensions will go into effect on the next business day.
 - ii. If the committee dismisses the fine or suspension, this decision is final and goes into effect the next business day. The Board may not re-impose a fine or suspension in a matter that has been dispensed with by the Committee.
- i. The Committee shall present clear reasoning for the decision and this shall be included in the hearing minutes.
- j. Following the announcement of the decision, the Committee is under no obligation to answer questions from the homeowner or attendee and the hearing may be adjourned.

3. Post-Hearing

- a. Within five (5) days, the chair shall provide the Board with either the draft minutes or a summary of the hearing.
- b. Fines that remain unpaid after the 5th day shall be considered late and at the Board's discretion, may be sent to an attorney for collection and further legal action.