

**EXHIBIT A**  
**LIGHTHOUSE COVE AT HERITAGE HARBOUR, INC.**

March 29, 2024

Ref: Amendment for Fining Caps

Dear Homeowner in Lighthouse Cove:

The board of directors of Lighthouse Cove has voted to approve the attached amendment which would increase the maximum amount of fines from \$100/day with a total maximum amount of \$1,000.00 to \$500/day with a total maximum of \$5,000.00. If approved by the membership, the Board does not intend to raise fines that it imposes for general issues, such as landscaping, failure to clean up after your dog, leaving trash cans outside the garage, etc. Rather, these increased limits give the board the flexibility to levy higher fines for more serious violations such as homes in need of structural repairs.

Thank you for taking the time to review this amendment and if you have any further questions, please contact our Property Manager.

LightHouse Cove Board of Directors

## **EXHIBIT A (continued)**

### **LIGHTHOUSE COVE AT HERITAGE HARBOUR, INC.**

**The Amended Language is as follows (additions underlined; deletions ~~struck through~~):**

**“10.5 Fines.**

(A) In addition to the means of enforcement provided elsewhere herein, the Community Association shall have the right to assess fines against a unit, a unit owner, or his guests, relatives or lessees in the event of a violation of the provisions of the Declaration, the Articles of Incorporation, these Bylaws, and Rules and Regulations of the Community Association regarding the use of units, common elements, or Community Association property. Each such violator and the unit owner shall be given written notice of the alleged violation and the opportunity for a hearing before the Board of Directors with at least fourteen (14) days' notice. Said notice shall include a statement of the date, time and place of the hearing; a statement of the provisions of the Declaration, Articles, Bylaws or Rules which have been allegedly violated; and a short and plain statement of the matters asserted by the Community Association. The party against whom the fine may be levied shall have an opportunity to respond, to present evidence, and provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Community Association. The amount of such fine shall not exceed Five One Hundred Dollars (\$100.00 \$500.00) per occurrence, per day, or the maximum permissible by law, and each reoccurrence of the alleged violation for each day during which such violation continues shall be deemed a separate offense and may result in additional fines, without the requirement of a separate hearing, such not to exceed ~~the maximum permissible by law~~ Five Thousand Dollars (\$5,000.00). The payment of fines shall be the ultimate responsibility of the unit owner, even when the violations for which fines have been levied arise out of the conduct of family members, guests or tenants. Any action to collect a duly levied fine shall entitle the prevailing party to an award of all costs and reasonable attorney's fees.

(B) Collection of fines. A fine shall be treated as a special charge due to the Community Association ten (10) days after written notice from the Community Association to the owner of the imposition of the fine. If not paid by the due date, the fine shall accrue interest at the highest rate allowed by law, and may itself be the subject of a late payment fee.

(C) Application. All monies received from fines shall become part of the common surplus.

(D) Nonexclusive remedy. Fines shall not be construed to be an exclusive remedy, and shall exist in addition to all other rights and remedies to which the Community Association may be otherwise legally entitled; however, any fine paid by the offending owner shall be deducted from or offset against any damages that the Community Association may otherwise be entitled to recover at law from such owner.

(E) To the extent permitted by law, the Community Association may file a Claim of Lien and pursue foreclosure thereon should a fine so levied remain unpaid for more than sixty (60) days.”