

## Resolution Committee (RC) Guidelines

In accordance with the rule making authority of the Board of Directors as stated in the Declaration Amendment & Restatement, Article VII, Section 8, the following are guidelines set forth to govern the Association's Resolution Committee (RC) set forth as an appeal board for fines or suspensions levied against Members as stated in the Declaration Amendment & Restatement, Article VII, Section 4. The RC has the same function as the "committee" stated in Florida Statutes 720.305(2)(b).

The RC role as defined in **Florida Statutes 720.305(2)(b)** is "limited to determining whether to confirm or reject the fine or suspension levied by the board" against a member, member's tenant, guest, or invitee. Any conflict between this guideline and Florida Statutes, the Florida Statute shall prevail.

**Appointments.** The Board of Directors shall appoint members to the RC by no less than a majority vote.

**RC Members.** The minimum number of the RC members shall be three (3). No RC member shall be a Board of Director nor a Landings' Employee. No RC member shall be a spouse, parent, child, brother, or sister of a Board of Director or a Landings' Employee.

**Removal/Disqualified.** A RC member may be removed by a majority vote of the Board of Directors. A RC member may be disqualified if that RC member's voting rights have suspended under the Declaration Amendment & Reinstatement, Article VII, Section 5.

**Vacancies.** In the event of a death, resignation, removal, or disqualification, the Board of Directors shall appoint another RC member by no less than a majority vote.

**Officers.** The RC members shall designate a chairperson and a secretary, which may be the same person. The role of the chairperson is to coordinate and facilitate RC meetings and to report to the Board of Directors any action of the RC. The role of the secretary is to provide accurate minutes of the RC meeting. These minutes will be included in the memorialized record of the Landings. The minutes will include that the owner/member had the minimum 14 day notice of the meeting, that the owner/member had the opportunity to be heard, and the outcome of the vote.

**Quorum and Voting.** If there are three (3) members of the RC, all three (3) members must be present either in person or via phone to establish a quorum. If there are more than three (3) members of the RC, a majority of the RC members must be present, in person or via phone, to establish a quorum. A majority vote of a quorum shall constitute action of the RC. Any tie vote will be deemed a "rejection" vote of a fine or suspension.

Continued on the following page...

## Resolution Committee Guidelines - Page 2

### **Procedure.**

If the Board of Directors refers a fine/suspension to the RC:

The management company will provide to the RC chairperson the name, address, phone number of the owner/member, copies of written notices of violation, and any correspondence related to violation.

The RC chairperson will give a date, time, and meeting place of the RC to the management company. The management company will notice the owner/member to include: the nature of the violation, the date/time/location of the RC meeting, that the owner/member may attend, that the owner/member may present mitigating circumstances regarding the violation, that the RC will review the violation and decide to approve or reject the fine/suspension.

This notice must give the owner/member at least 14 days notice of the RC meeting.

At the resolution meeting, the owner/member may present mitigating circumstances that would allow the RC to make an informed decision. A spokesperson of the owner/member may speak at the meeting with the approval of the RC.

If the RC, by majority vote, rejects a proposed fine or suspension, the fine or suspension will not be imposed. The RC chairperson or its designate shall report at the next scheduled Board of Director's Meeting any action and reasoning of the RC, either in person or written report.

If the RC, by majority vote, approves the fine or suspension, the RC chairperson or its designate shall report at the next scheduled Board of Director's Meeting any action and reasoning of the RC, either in person or written report.

**Enforcement of RC action.** The Board of Directors will be responsible to inform the owner/member the decision of the RC. The Board of Directors is responsible for the enforcement of the approved fine/suspension.

**Compensation.** RC members will not receive any compensation; however, RC members may be reimbursed for reasonable expenses incurred in the performance of the RC duties.

(NOTE: THE FOLLOWING HOMEOWNER RESIDENTS HAVE VOLUNTEERED FOR THE RESOLUTION COMMITTEE AND HAVE BEEN APPROVED BY THE HOA BOARD OF DIRECTORS:

Pamela Skaggs, Pat Stark and Helen Letter.}