

Castellina Home Owners Association

Board of Directors

Code of Conduct

CASTELLINA HOME OWNER'S ASSOCIATION CODE OF CONDUCT



Authority to Promote the Code of Conduct

This Code of Conduct was approved by the Board of Directors at a properly noticed meeting pursuant to the powers granted to the Board by Chapter 720 of the Florida Statutes, F.S. 720.as amended; the Castellina Declaration Of Covenants, Conditions, and Restrictions for Castellina, Articles of Incorporation, Bylaws, recorded in the Official Records of the Palm Beach County Clerk of Court on January 19, 2012, Clerk's File No. 20120022004, as amended; and the Board of Directors' Resolutions ("the Governing Documents"). It can be amended at any time by a majority of the Board.

1. Purpose and Intent

The purpose of this document is to explain to the owners, residents and visitors of Castellina the conduct that will be expected of them in this community. It is intended to expand the rules stated in the Governing Documents and not to replace them. In case of any discrepancy between this Code and the Governing Documents, the Governing Documents will control.

2. Notice of Violation and Fine Process

When the Board of Directors or the Management Company, serving as its delegate, determines a violation against of the Rules has occurred, it will send the offender a written notice containing the following:

- a. Date of the Notice;
- b. The nature of the violation including its date;
- c. The proposed fine; and
- d. Notice of the violation review procedure.

3. Schedule of Violations and Fines

The following is a list of the conduct that will result in a violation when occurring in Castellina, and the fines associated with that conduct:

In those cases where a violator repeats the violation, or engages in a violation similar to another violation for which the Board issued a notice within the previous 12 months, the Board may impose the sanction proposed in the first notice as if both violations were one continuous violation without having to serve the alleged violator a second time.

Again, please be aware that despite this Schedule of Violations and Fines, the Board may elect to enforce any provision of the Governing Documents by self-help (specifically including, but not limited to, towing vehicles that violate parking rules) or, following compliance with the Declaration's dispute resolution procedures, if applicable, by lawsuits to stop any violation, to recover monetary damages or both. In any such action, to the maximum extent permissible, the Owner or occupant responsible for the violation of which abatement is sought shall pay all costs, including reasonable legal costs actually incurred by the Castellina Homeowners' Association.

Table of Infractions

No.	Infraction	First Offense	2 nd Offense	Additional Offense
1.	Failure to Allow Barrier Arm to Close After Each Vehicle – No Damage	Warning	\$100	\$100
2.	Hit Entry or Exit Gate or Barrier Arms with Damage + Cost of arm/gate replacement/repair	\$100	\$100	\$100
3.	Tampering with or Vandalizing Association Property + Cost of replacement/repair	\$100	\$100	\$100
4.	Unauthorized Entry through Gates	\$100	\$100	\$100
5.	Speeding	\$100	\$100	\$100
6.	Failure to Stop at a Posted Stop Sign (Updated 6/16/21)	\$50	\$50	\$50
7.	Belligerence Towards Castellina Staff	\$100	\$100	\$100
8.	Parking Commercial Vehicles	Warning	\$25	\$50
9.	Parking on the Street/too many vehicles in driveway.	Warning	\$25	\$50
10.	Parking across the Sidewalk	Warning	\$25	\$50
11.	Overnight Parking of Trailers, Boats, RVs (at Residence)	Warning	\$25	\$50
12.	Architectural Review Board Violation (Updated 6/16/21)	\$50/day	\$50/day	\$50/day
13.	Tenant Remaining in Possession after Lease Expiration	Warning	\$25	\$50
14.	Unauthorized Tenant	Warning	\$25/day	\$50/day
15.	Address Not Visible from Street	Warning	\$25/day	\$50/day
16.	Failure to Maintain Driveway	Warning	\$25/day	\$50/day
17.	Failure to Maintain Roof	Warning	\$25/day	\$50/day
18.	Failure to Maintain Sidewalk	Warning	\$25/day	\$50/day
19.	Failure to Maintain Swale	Warning	\$25/day	\$50/day
20.	Failure to Maintain Exterior of House	Warning	\$25/day	\$50/day
21.	Failure to Maintain Any Exterior Structure	Warning	\$25/day	\$50/day
22.	Hurricane Shutters Not Promptly Removed	Warning	\$25/day	\$50/day
23.	Holiday Lighting/Décor No Promptly Removed	Warning	\$25/day	\$50/day
24.	Unauthorized Signs on Lots or Common Areas	Warning	\$25/day	\$50/day

No.	Infraction	First Offense	2 nd Offense	Additional Offense
25.	Pet Waste Not Picked Up/ Pet Not on Leash	Warning	\$25/day	\$50/day
26.	Pet Attack on Person or another Pet	\$100	\$100	\$100
27.	Material Not Stored	Warning	\$25/day	\$50/day
28.	Trash/Recycling Bins Not Promptly Stored	Warning	\$25/day	\$50/day
29.	Construction Work Outside of Permitted Times	Warning	\$25/day	\$50/day
30.	Violation of the Rules Posted in the Community's Common Areas or any other violations provided for in the By Laws not specifically covered in this document (Updated 6/16/21)	\$50/day	\$50/day	\$50/day
31.	Unauthorized Use of HOA Lot Irrigation System/Homeowner Turns On Individual Sprinklers	Warning	\$25/day	\$50/day
32.	Unapproved Architectural Change (Initial fine that may be combined with daily fees)	\$100	\$100	\$100
33.	Failure to clean up owner installed landscaping that has stained the sidewalks or has become unsightly	\$50/day	\$50/day	\$50/day
34.	Failure to clean up common areas after use	\$50/day	\$50/day	\$50/day
35.	Discretionary fine for violations not specifically stated per the BOD or PM as needed	Maximum fine of \$100 per day	Maximum fine of \$100 per day	Maximum fine of \$100 per day
36.	No overnight parking at the clubhouse without a permit. Permit may be obtained by PM with approval of the BOD for up to 3 days (Reconfirmed on 6/16/21)	\$50/day	\$50/day	50/day

Fine without Dispute – Becomes Final 14 days after Notice of Violation.

Fine Disputed - Request a hearing before the Committee *in writing* within 14 days of Notice Date.

/ Day - Fines are assessed *per day* until the violation is cured.

4. Covenants Committee Review of the Board's Notice of Violation

Residents or Homeowners who receive Notices of Violation may request a Hearing before the Castellina Covenants Committee, which will approve or reject the fine proposed in the Notice of Violation. The Committee shall have at least three members appointed by the Board who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee.

The alleged violator must request a hearing before the Committee *in writing* within 14 days of Notice's date. The date of the Notice will be the later of: (a) the date of the Notice; (b) the date that the envelope containing the Notice was postmarked by the U.S. Postal Service, if delivered by mail; or (c) the date of receipt if hand delivered.

The Covenants Committee will not consider challenges to Notices of Violation made after the 14-day period.

All writings of challenge must contain language to the following effect: "I/We to challenge this Notice of Violation and request a hearing before the Covenants Committee"; and include a copy of the Notice of Violation.

If the alleged violator requests a hearing within the allotted 14-day period, the Covenants Committee shall hold a hearing during one of its meetings. At that hearing the alleged violator shall be afforded a reasonable opportunity to be heard by the Committee on the matter of the violation and the fine.

The Committee will provide the alleged violator Notice of the Hearing, which will contain the date, time and location of the same, and advise that this will be the opportunity afforded to him or her to make their case before the Committee. Proof of this notice of the hearing shall be placed in the minutes of the meeting. A copy of the notice of hearing, together with a statement of the date and manner of delivery signed by the officer, director, or agent who delivered such notice to the alleged violator will be sufficient evidence of the notice. The notice requirement shall be deemed satisfied if the alleged violator or their representative appears at the meeting.

The Committee, after giving the alleged violator the opportunity to be heard, will vote in private on whether to confirm or reject the sanction contained in the Notice of Violation. The Committee's decision shall be based upon a majority of its members.

Upon the conclusion of the hearing, the Committee shall prepare a written statement of the results of the hearing and the sanction, if any, imposed. This statement shall be filed with the minutes of the Covenants Committee's meetings.

Either the Board or the Committee may suspend any proposed sanction if the violation is cured, or a diligent effort to cure the violation is made within the 14-day period. This suspension shall not be considered a waiver of the right to sanction similar or dissimilar violations in the future.