

VIOLATION PROCEDURES
Adopted 29th day of June 2004

Mission Statement: We, the River Grove Board of Directors, hereby volunteer for the duty of defending and upholding the Covenants of the community of River Grove. "The Declaration of Covenants, Conditions, Restrictions, Reservations, Licenses and Easements for River Grove" serves as our guide and foundation for the community we reside in, and shall be the basis of all decisions made in the maintenance, preservation and beautification of our property. We hereby agree to defend this document, as charged by our neighbors and evidenced by our volunteerism and willingness to do so and hereby adopt the following as Due Process for violations of these covenants.

Procedures:

1. Residents are charged with reporting alleged violations, in writing to the Board, including the article and paragraph of the covenant violated via email or PO Box.
2. Upon receipt of such report, a notification of the grievance will be sent to homeowner.
3. If a homeowner has received two (2) grievance notifications for the same violation in a calendar year, which the homeowner has corrected before the board determines that a violation has occurred, the board may at its discretion determine that a violation has occurred and issue a letter of violation in lieu of the notification of the grievance.
4. The determination of whether the alleged violation constitutes a violation of the covenant will be the responsibility of the Board.
5. If a violation is identified, a notice of violation will be sent to the homeowner, by certified mail, to the last address on record with the Association. The letter will state the violation and reference the appropriate Article and paragraph in River Grove Declaration of Covenants. The letter of Violation will be signed by a Board Officer.

- If the violation is corrected within 14 days of the violation letter postmark date, no further action is required
6. Should the homeowner dispute the Board of Directors determination that a violation has occurred, they may appeal the decision. The appeal must be in writing, postmarked no later than 10 (ten) days after the postmark date of the notice of violation, and addressed to the Secretary of the RGHOA (River Grove Homeowner's Association), P.O. Box 1778, Merritt Island, Florida, 32954-1778. In lieu of a postmarked letter the appeal can be sent via E-mail to RGHOA Secretary provided it is dated no later than 10 days after the postmarked date of the notice of violation.
 7. If the violation is not corrected within 14 days of the notice of violation postmark date and a hearing has not been requested, a fine may be assessed per the River Grove Fine Procedure on the 15th day. (River groves Covenants 1.19 and Florida Statute 720.305 (2a))
 8. The homeowner's right to a hearing to dispute a violation does not apply to the imposition of suspensions or fines for annual assessments, special assessments, or individual assessments if such assessments are authorized by the River Grove Declaration of Covenants. (FL St 720.305(2b) This would be Annual Assessments, Special Assessments or Individual Assessments)
 9. The homeowner's appeal shall be heard by the River Grove Covenant Enforcement Committee (CEC). The CEC shall be comprised of at least three (3) members of the homeowners' association appointed by the Board of Directors who are not officers, directors or employees of the association or the spouse, parent, child, brother, sister or an officer, director or employee of the association. The hearing will be scheduled by the Board of Directors and will take place as soon as it can be scheduled. (FL St. 720.305 (2a))
 10. The CEC will issue a written decision the day of the hearing to the attending Board Member(s) and the homeowner.
 11. If a majority of the CEC affirmatively votes to impose a fine, the fine will be imposed in accordance with the River Grove Fine Procedure.

12. The assessment of the fine will begin no sooner than 15 days after the notice of violation postmark date. (FL St 720.305(2a))
13. If a resident repeats a prior violation in the same calendar year, as evidenced by a second violation letter, it shall not constitute a new violation but will be a "continuation of the prior violation" and no further action is required by the Board. The fine shall commence on the date of repeat of the violation per the River Grove Fine Procedure.
14. A fine may be assessed against any member and may result in filing a claim of lien against the property.