

Heritage Pointe Master Association, Inc.
Sentry Management, Inc.
6330 Techster Blvd., #1
Fort Myers, FL 33966

April 7, 2016

TO: Unit Owners

FROM: Board of Directors

RE: **Resolution Creating Fining/Suspension Committee (“Compliance Committee”) and Adopting Fining/Suspension Procedures; Resolution Adopting Lease Application; and Amendment to Rules and Regulations**

Dear Members of the Association:

At the Board of Directors’ organizational meeting following the Annual Members’ Meeting, the Board of Directors adopted the following:

- Resolution Creating Fining/Suspension Committee (“Compliance Committee”) and Adopting Fining/Suspension Procedures
- Resolution Adopting Lease Application
- Amendment to Rules and Regulations

The new rules/policies are effective as of the date of adoption. A copy of the Resolutions and revised rule are enclosed for your review.

Very truly yours,



Clayton Snyder, President
For the Board of Directors

RESOLUTION CREATING FINING/SUSPENSION COMMITTEE (“COMPLIANCE COMMITTEE”) AND ADOPTING FINING/SUSPENSION PROCEDURES

HERITAGE POINTE MASTER ASSOCIATION, INC.

WHEREAS, the Heritage Pointe Master Association, Inc. (“Association”) is the corporation charged with the operation, maintenance, management of Terrace I at Heritage Pointe, a Condominium, Terrace II at Heritage Pointe, a Condominium, Terrace III at Heritage Pointe, a Condominium, Terrace IV at Heritage Pointe, a Condominium, Terrace V at Heritage Pointe, a Condominium, and Terrace VI at Heritage Pointe, a Condominium (hereinafter “the Condominiums”) and Common Areas of Heritage Pointe (collectively “the Community”); and

WHEREAS, Section 718.303(3), Florida Statutes (2015) provides that the Association may levy and impose reasonable fines for the failure of the owner of the unit or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association and that an association may suspend, for a reasonable period of time, the right of a unit owner, or a unit owner’s tenant, guest, or invitee, to use the common elements, common facilities, or any other association property for failure to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association; and:

WHEREAS, the Association is desirous of empowering the Association’s Licensed Community Association Manager (“Manager”) with the authority to initiate the fining and/or suspension process by authorizing the issuance of required notices and otherwise administering the fining and suspension procedure; and

WHEREAS, the Association is also desirous of creating a Compliance Committee (the “Committee”), as contemplated by Section 718.303(3), Florida Statutes.

NOW, THEREFORE, it is hereby resolved as follows:

1. The above recitations are true and correct and are hereby incorporated into this Resolution.
2. The Committee currently consists of three (3) Members: Joseph Giacomo, Gunilla Nilsson and Ellie Teresinki. The Committee members shall serve at the pleasure of the Board of Directors. The Committee members may be removed or replaced on motion of the Board, documented in the minutes, without need for further resolution of the Board. The Committee members must be Unit Owners in the Condominium but may not be Board members nor persons residing in a Board member’s household. The Board shall have the power to fill vacancies in the Committee and, at any time, remove any member of the Committee with or without cause. The Board shall also have the power to dissolve such Committee. The Committee shall, amongst itself, elect a Chair and a Vice-Chair.

The Manager, in appropriate situations, shall initially address violations through the issuance of a “Notice of Violation,” generally in the form attached to this Resolution as Exhibit “1” or similar form promulgated by the Board. The Manager may confer with the President and/or legal counsel in attending to this function, but shall be delegated the general authority and responsibility to provide initial notices of violations of the Governing Documents (which shall

include the Declaration of Covenants, Conditions and Restrictions for Heritage Pointe, the Articles of Incorporation, Bylaws, and the rules and regulations promulgated by the Board of Directors concerning the use of the Common Areas and/or Condominium Property and the operation of the Association) and Condominium Documents (which shall include any of the Declarations of Condominium), as well as violations of any policies, resolutions or lawful orders of the Board of Directors, or applicable provisions of law; all of which shall be referred to in this Resolution as a violation of the Governing Documents and/or Condominium Documents. The Manager may confer with the President and/or legal counsel, but shall be delegated the general authority (subject always to contrary direction by the President or the Board) to determine which violations shall be initially addressed through a warning letter first sent, and which such proceedings may be initiated without the provision of a prior warning through issuance of a Notice of Violation, referenced above. It shall generally be the policy of the Association to issue prior warnings to first time offenders for minor violations. It shall generally be the policy of the Association that where a person sought to be fined and/or suspended has violated the Governing Documents and/or Condominium Documents in the past, or where the alleged violation is sufficiently serious, as determined by the Manager or the President, fining/suspension procedure may be initiated without a prior warning/opportunity to cure.

3. Assuming that the Notice of Violation does not result in the resolution of an alleged violation to the satisfaction of the Manager, or in cases where no Notice of Violation is issued, the Manager, on behalf of the Board, shall be empowered with the authority to initiate the fining and/or suspension process by placing on the agenda for a regular or specially scheduled meeting of the Board of Directors the consideration of levying a fine and/or suspension.

4. If at the meeting of the Board of Directors, a majority of the Board votes to levy a fine and/or suspension, the Unit(s) and person(s) against whom the fine and/or suspension is levied shall be delivered written notice of the Board's action levying the fine and/or suspension and further be notified of a hearing before the Committee where the fine and/or suspension shall be considered by the Committee for confirmation or rejection of the fine and/or suspension. The written notice shall be in a form generally equivalent to the "Notice of Hearing" attached here to as Exhibit "2," and shall be delivered by certified mail, return receipt requested, with an additional copy by regular mail. E-Mail copies may also be sent, but are not required. If the fine and/or suspension is confirmed by the Committee, the fine and/or suspension may be deemed imposed without further action of the Board of Directors unless a contrary intention is reflected in the minutes of the Board meeting where the fine is levied.

5. The Committee shall be empowered with the authority to conduct fining/suspension hearings. At least a majority of the Committee Members are required for a quorum of the Committee. Actions of the Committee shall be by vote of a majority of the Committee Members present. At said hearings, the Committee shall be empowered with the authority to either confirm or reject the fine and/or suspension levied by the Board. The Unit Owner and, if applicable, the party against whom the fine and/or suspension is sought to be imposed (if different from the Unit Owner), shall have an opportunity to respond, to present evidence, and to 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 Association.

6. If the Committee confirms the fine and/or suspension, the fine and/or suspension may be imposed by the Board of Directors. The Board of Directors may either hold a meeting of the Board following the Committee Meeting to impose the fine and/or suspension. Alternatively, a fine and/or suspension may be deemed imposed upon Committee's confirmation of the fine and/or suspension as provided above, and shall be deemed automatically imposed after the Committee's hearing unless the minutes of the Board meeting levying the fine state otherwise. Once the fine and/or suspension is imposed, the Board of Directors shall deliver a "Notice of Imposition of Fine and/or Suspension" in a form generally equivalent to Exhibit "3" attached hereto.

7. The hearing will be conducted by the Chairman of the Committee or the Manager. If the Board meets simultaneously with the Committee, members of the Board may be called to present evidence of violations, if applicable. Board members will not question or address the accused or witnesses nor otherwise participate in the conduct of the hearing. If the Committee hearing is held separately from the meeting of the Board where a fine/suspension is to be levied, the Committee shall send the Board a "Report of Compliance Committee" ("Report") in a form generally equivalent to Exhibit "4" hereto. The Chair or Vice-Chair of the Committee shall be required to sign the Reports, which signature shall be presumed to represent the decision of the Committee. If the Board meets simultaneously with the Compliance Committee, no Report shall be required and the decision of the Committee shall be reflected in the minutes of the Board meeting.


8. A suspension pursuant to this provision shall apply to the use rights in all of the Common Areas (including Common Elements, except that such suspension shall not apply to Limited Common Elements intended to be used by only the subject Unit, Common Elements needed to access the Unit, utility services provided to the Unit, parking spaces or elevators.) Suspension shall specifically (but without limitation) prohibit the use of the Community Center, swimming pool and spa. Such suspension shall be for a reasonable time, as determined by the Board in its levy of the suspension, subject to confirmation by the Committee.

9. The Board may delegate such other powers and duties to the Manager or to such other person as may be necessary or appropriate under the circumstances. The Board may adopt additional policies and procedures for the Manager or such other persons to follow, or to be utilized in connection with the fining/suspension process, as amended from time to time.

10. General compliance with this Resolution shall be sufficient, it being intended to be used as a guideline to ensure fairness in the fining/suspension process. It is the intention of this Resolution and its exhibits that persons sought to be fined and/or suspended are given a reasonable notice to be heard before the imposition of a fine and/or suspension of use rights. The Manager, in consultation with the President, where appropriate, shall have the authority to disregard the provisions of this Resolution in circumstances where the alleged behavior of a person constitutes a violation of criminal law, or poses a threat to the health, peace, safety, or welfare of the residents of the Condominiums, or in other circumstances where the Association believes such disregard is justified. Compliance with this Resolution and the imposition of fines or suspensions shall not be deemed a prerequisite to the initiation of legal proceedings or other remedies to enforce the Governing Documents and/or Condominium Documents.

This Resolution was adopted at the Board of Directors' Meeting held March 21, 2016. There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 7. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

HERITAGE POINTE MASTER
ASSOCIATION, INC.

BY: 
Clayton Snyder, President

Date: 3-21-16

(CORPORATE SEAL)

NOTICE OF VIOLATION

_____ [Date Sent]

FIRST CLASS MAIL

TO: [Unit Owner Address of Record, Name All Record Owners Per Deed, if Owner Occupied Unit] or [Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner Occupied Unit]

Dear [Unit Owner, if Owner Occupied Unit] or [Name Tenant/Non-Owner Occupant, if Non-Owner Occupied Unit]:

The following violations of the Governing Documents and/or Condominium Documents have been noted with regard to the Unit you are occupying at Heritage Pointe, or the conduct of you, the Unit's Occupants, Guests, licensees, or invitees.

[Insert violation(s) here including citation to Governing Documents and/or Condominium Documents and as much detail as possible as to date(s), time(s) and place(s) of alleged violation(s).]

Please be advised that if this violation (*these violations*) is (*are*) not corrected by [*date**], or if further violations occur, the Association reserves the right to take further action against you to enforce the Governing Documents and/or Condominium Documents. You are required to [*fill in demanded relief here*].

If you fail to comply, further legal action may ensue without further notice or demand. Such legal action may include (but is not limited to): the imposition of a fine and/or suspension of certain use rights of Common Areas and/or Condominium Property following a proper notice and opportunity for hearing as required by law; and/or the filing of a lawsuit for damages in the court of appropriate jurisdiction; and/or the filing of a lawsuit for an injunction in the court with appropriate jurisdiction; and/or the initiation of mandatory non-binding arbitration proceedings with the Division of Condominiums, Timeshares and Mobile Homes. In the event the Association takes any of the foregoing legal actions, the Association will seek to recover its attorneys' fees and costs as permitted by the Governing Documents and/or Condominium Documents and the Florida Condominium Act, Chapter 718, of the Florida Statutes.

[Include this paragraph only if Unit is Non-Owner Occupied] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents and/or Condominium Documents, the Unit Owner is jointly and severally liable for the conduct of his or her Tenants, and the Occupants of the Unit, as well as their Guests, licensees, or invitees. Accordingly, if the violation is not corrected, this letter serves as notice that the Association may also take the above-referenced actions against the Unit Owner(s), either directly, or jointly and severally.

* In general 10 days notice will be given for correction of most violations. Other violations may result in the initiation of a proposed fine without a prior warning, and this letter would not be used. The Manager shall have the authority to require more timely compliance, including immediate compliance, in appropriate circumstances, as well as more liberal compliance deadlines, as determined in the discretion of the Manager in consultation with the President.

Very truly yours,

[Association Manager]

On behalf of the Board of Directors

cc: [If Owner Occupied, Unit Owner by e-mail, if Association has e-mail address, but e-mail optional]

[If Non-Owner Occupied, Tenant/Non-Owner Occupant by e-mail if Association has e-mail address, but e-mail optional]

[If Non-Owner Occupied, Unit Owner Address of Record by regular mail and e-mail if Association has e-mail address, but e-mail optional]

[Board President]

EXHIBIT 1 – NOTICE OF VIOLATION

NOTICE OF HEARING

_____ [Date Sent – Must be at least 20 days before hearing]

CERTIFIED MAIL # [Fill in Tracking Number from Green Card Here]

TO: [Unit Owner Address of Record, Name All Record Owners Per Deed, if Owner Occupied Unit] or [Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner Occupied Unit]

Dear [Unit Owner, if Owner Occupied Unit] or [Name Tenant/Non-Owner Occupant, if Non-Owner Occupied Unit]:

Section 718.303(3), Florida Statutes and the Association's Resolution Creating Fining/Suspension Committee ("Compliance Committee") and Adopting Fining/Suspension Procedures authorizes Heritage Pointe Master Association, Inc. ("the Association") to levy reasonable fines and/or suspend use rights for a reasonable time for failure of the Owner of a Unit or its Tenants, Occupants, Guests, licensees, or invitees to comply with any provision of the Governing Documents and/or Condominium Documents.

[If fining and Notice of Violation was given in advance, use the following] The violation described in the Association's Notice of Violation dated _____, 20____, has not been corrected and/or has resumed. Accordingly, the Association's Board of Directors has levied a fine against you in the amount of [insert amount of fine/\$100.00 per day per violation, up to \$1,000 in the aggregate for a continuing violation].

[If fining and NO Notice of Violation was given in advance, use the following instead of previous paragraph] The Association's Board of Directors has levied a fine against you in the amount of [insert amount of fine/\$100.00 per day per violation, up to \$1,000 in the aggregate for a continuing violation]. The following violations of the Governing Documents and/or Condominium Documents have been noted with regard to the Unit you own and/or are occupying at Heritage Pointe, or the conduct of you, your Unit's Tenants, Occupants, Guests, licensees, or invitees. [Insert violation(s) here including citation to Governing Documents and/or Condominium Documents and as much detail as possible as to date(s), time(s) and place(s) of alleged violation(s).]

[If suspending, use the following] The Association has also [delete "also" if Association is only suspending and not fining] suspended your Unit's right to use certain Common Areas and/or Common Elements, which include the Community Center, swimming pool and spa.

Pursuant Section 718.303(3)(b), Florida Statutes, a hearing before the Compliance Committee (the "Committee," an impartial committee of unit owners who are neither Board members nor persons in a Board member's household), will be held on the [day] day of [month] 20[year], at [time] at [place, include address] to determine whether to confirm or reject the fine and/or suspension levied by the Board of Directors.

You have a right to attend the hearing to respond, to present evidence, and to provide written or oral argument. You shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. You also have a right to be represented by counsel at the hearing. If you intend to appear with counsel, please notify the Association, in writing, no

later than seven (7) days prior to the hearing so that the Association has sufficient time to arrange for its counsel to be present should it choose to do so.

If you fail to appear at the hearing, the fine and/or suspension, if confirmed by the Committee, will be imposed after a hearing has been conducted in your absence. If you have any questions about scheduling, please contact *[Association Manager]* at *[phone number]* or *[e-mail address]*.

In the event that the Committee confirms the fine and/or suspension levied by the Board of Directors, the fine and/or suspension will be imposed. If the Committee rejects the fine and/or suspension, it will not be imposed. You will receive written notice of any fine and/or suspension imposed.

[Include this paragraph only if Unit is Non-Owner Occupied] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents and/or Condominium Documents, the Unit Owner is jointly and severally liable for the conduct of his or her Tenants, and the Occupants of the Unit, as well as their Guests, licensees, or invitees. Accordingly, if the fine may also be imposed against the Unit Owner(s), either directly, or jointly and severally. In cases where only a Non-Owner (e.g., Tenant, Occupant or invitee) is fined, the Unit Owner shall be jointly and severally liable for payment of the fine. *[Use following suspension sentence, if applicable.]* Unit Owners shall likewise be suspended from common facility use during the period of a Non-Owners suspensions. Unit Owner have the right to attend the Committee Hearing.

Very truly yours,

[Association Manager]

On behalf of the Board of Directors

cc: *[If Owner Occupied, Unit Owner Address of Record by regular mail w/ encl. and e-mail w/encl., if Association has e-mail address, but e-mail optional]*
[If Non-Owner Occupied, Tenant/Non-Owner Occupant by regular mail w/ encl. and e-mail mail w/encl., if Association has e-mail address, but e-mail optional]
[If Non-Owner Occupied, Unit Owner Address of Record by Certified Mail (with tracking number) w/encl., regular mail w/ encl. and e-mail w/encl., if Association has e-mail address, but e-mail optional]
[Board President]

***EXHIBIT 2 - NOTICE OF HEARING
(SEND AT LEAST 20 DAYS IN ADVANCE OF HEARING)***

NOTICE OF IMPOSITION OF FINE AND/OR SUSPENSION

_____ [Date Sent]

CERTIFIED MAIL # [Fill in Tracking Number from Green Card Here]

TO: [Unit Owner Address of Record, Name All Record Owners Per Deed, if Owner Occupied Unit] or [Tenant/Non-Owner Occupant at Unit's Address, if Non-Owner Occupied Unit]

Re: Notice of Violation Dated [Include date and use only if Notice of Violation was given in advance]; Hearing Held _____, 20_____

Dear [Unit Owner, if Owner Occupied Unit] or [Name Tenant/Non-Owner Occupant, if Non-Owner Occupied Unit]:

The Compliance Committee (the "Committee") confirmed the fine levied by the Board of Directors in the amount of \$_____ per day/\$_____ cumulative, as authorized by law. [Use only the following sentence where applicable] The Committee also confirmed that your right to use non-essential Common Areas and/or Common Elements, as defined in the Association's Resolution Creating Fining/Suspension Committee ("Compliance Committee") and Adopting Fining/Suspension Procedures, including the Community Center, swimming pool and spa, be suspended for a period of _____ (____) days, effective _____, 20____. As such, the Board of Directors has imposed a fine in the total amount of \$_____ and/or has imposed the suspension for a period of _____ (____) days, the suspension is effective beginning _____, 20____. **Payment of the fine is due (must be received by the Association) no later than fifteen (15) days from the date of this letter.** The suspension applies to all Unit Owners, Tenants, Occupants, Guests, licensees, and invitees. [This paragraph may be edited to be tailored to whether a fine, a suspension, or both have been imposed]

[Include this paragraph only if Unit is Non-Owner Occupied] This Notice is also being provided to the record Owner(s) of the Unit. Pursuant to Florida law and the Governing Documents and/or Condominium Documents, the Unit Owner is jointly and severally liable for the conduct of his or her Tenants, Occupants, Guests, licensees, and invitees and for fines and/or suspensions imposed upon them. Accordingly, this Notice serves as notice to the Unit Owner(s) that he/she/they are jointly and severally liable for the payment of the fine.

You may remit payment of the fine to the Association, c/o Sentry Management, Inc., 6330 Techster Blvd., #1, Fort Myers, FL 33966. Checks should be made payable to the Heritage Pointe Master Association, Inc. If you fail to pay the fine, or violate the Association's suspension order, the Association reserves all rights available under law to collect the fine and enforce the suspension [edit as appropriate]. These include (but are not limited to) additional suspension of use privileges as may be permitted by law, additional fines as may be permitted by law, filing an action in a court of competent jurisdiction to recover the fine and/or enforce the suspension or the initiation of arbitration proceedings. Pursuant to the Association's Bylaws, the prevailing party in any action to collect a fine is entitled to recover their attorneys' fees from the non-prevailing party. Pursuant to Florida law, the prevailing party in other proceedings is likewise entitled to recover reasonable attorneys' fees and costs.

[In those circumstances where the Board's motion imposing the fine and/or suspension in the Report of Compliance Committee require a personal appearance before the Board following the Compliance Committee hearing, add the following] Although not required by law, the Association has determined that you may appear in person (or by telephone) before the Board of Directors to show cause why the above-listed fine and/or suspension should not be imposed. This will not be an evidentiary hearing. You must request the right to appear before the Board no later than fifteen (15) days from the date of this Notice, and you will be advised of the date, time and place of the Board meeting where you may appear.

Thank you for your prompt attention to this matter.

Very truly yours,

[Association Manager]

On behalf of the Board of Directors

cc: [If Owner Occupied, Unit Owner Address of Record by regular mail w/ encl. and e-mail w/encl., if Association has e-mail address, but e-mail optional]

[If Non-Owner Occupied, Tenant/Non-Owner Occupant by regular mail w/ encl. and e-mail mail w/encl., if Association has e-mail address, but e-mail optional]

[If Non-Owner Occupied, Unit Owner Address of Record by Certified Mail (with tracking number) w/encl., regular mail w/ encl. and e-mail w/encl., if Association has e-mail address, but e-mail optional]

[Board President]

EXHIBIT 3 - NOTICE OF FINE

REPORT OF COMPLIANCE COMMITTEE

TO: Board of Directors, Heritage Pointe Master Association, Inc.

1. Date of Notice of Violation: _____, 20____ **OR**

N/A (No Notice of Violation Given)

2. Date of Fining/Suspension Hearing: _____, 20____

3. Unit Number: _____

4. Name(s) of Unit Owner(s) and, if applicable, Tenant(s), Family Member(s), Occupant(s), Guest(s), licensee(s) and/or invitee(s): _____

5. Type of Alleged Violation [describe basic violation and applicable provision of Governing Documents and/or Condominium Documents]: _____

6. Proper notice of hearing verified with Manager: Yes No

7. Alleged Violator(s) is/was (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Unit Owner | <input type="checkbox"/> Resident Family Member of Unit Owner |
| <input type="checkbox"/> Tenant | <input type="checkbox"/> Resident Family Member of Tenant |
| <input type="checkbox"/> Unit Owner's invitee | <input type="checkbox"/> Tenant's invitee |
| <input type="checkbox"/> Unit Owner's licensee | <input type="checkbox"/> Tenant's licensee |
| <input type="checkbox"/> Other (specify) _____ | |

8. Names of those who appeared at hearing on behalf of Unit: _____

9. Names of those who presented evidence at the hearing on behalf of Association: _____

10. Physical evidence (if any) presented other than testimony of verbal observations: _____

11. List any aggravating circumstances: _____

12. List any mitigating circumstances: _____

13. Other comments from Committee: _____

14. Fine (if any) Confirmed or Rejected: _____
15. Suspension (if any) Confirmed or Rejected: _____
16. Duration of Suspension: _____
17. If vote of Compliance Committee is not unanimous, list each vote here: _____

18. Should violator be given an opportunity to appear before the Board before fine and/or suspension is imposed? Yes No

Signed: _____
Chair or Vice-Chair of Compliance Committee

Print Name: _____

Date: _____

EXHIBIT 4/Page 2 of 2

RESOLUTION ADOPTING APPLICATION FOR LEASE
HERITAGE POINTE MASTER ASSOCIATION, IN

WHEREAS, Article 13.1 of each of the Declarations of Condominium, as amended, for Terrace I at Heritage Pointe, a Condominium, Terrace II at Heritage Pointe, a Condominium, Terrace III at Heritage Pointe, a Condominium, Terrace IV at Heritage Pointe, a Condominium, Terrace V at Heritage Pointe, a Condominium, and Terrace VI at Heritage Pointe, a Condominium (hereinafter "the Condominiums"), provides that Board of Directors shall have the authority to approve all leases and renewals or extensions thereof; and

WHEREAS, Article 13.1 of each of the Declarations of Condominium further provides that the Board shall have the authority to promulgate or use a uniform lease application; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to adopt a rule, as contemplated by the above-referenced article of each of the Declarations of Condominium, to require the use of a uniform lease application to protect the Association and the Unit Owners when a Unit is leased; and

NOW THEREFORE, the following rule is adopted.

1. All leases of any Unit must be approved by the Association in advance and in writing as provided by Article 13.1 of each of the Declarations of Condominium.
2. All leases must also be accompanied by the Application for Lease which is attached hereto as Exhibit "A." The Application for Lease must be signed by the Unit Owner, the proposed Tenant, and upon approval by the Association by the Association's designated representative.
3. Failure to include the attached Application for Lease will result in denial of the proposed lease by the Association.

This Resolution was adopted at the Board of Directors' Meeting held March 21, 2016. There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 7. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

HERITAGE POINTE MASTER
ASSOCIATION, INC.

By: 
CLAYTON SNYDER, President

Date: 3-21-16

(CORPORATE SEAL)



Before submitting your Lease for processing you **MUST** have the following attached:

- Completed Application – **EVERYTHING** must be filled out in order to process.
- Application Fee – **\$100** check made payable to **Heritage Pointe Master Association, Inc.**
(Applications will not be processed without the fee)
- Lease Contract (signed copy)
- Criminal Background Check provided by owner

Please do not submit partial packages. Applications are not considered received until all documentation is submitted. Incomplete applications will be reviewed and sent back. Applications **must be submitted 30 days prior to Lease Occupancy.** Any application(s) submitted less than **30** days prior to the lease start date may have their start date delayed or may be rejected.

Please submit the Complete Application to:
Sentry Management 6330 Techster Blvd Ste. 1 Fort Myers, FL 33966.

If you have any questions, please feel free to contact us at 239-277-0112. You may drop off your application at the Sentry Management Office Monday – Friday 8:30 am to 5:00 pm.

We cannot accept faxed or emailed applications. Incomplete applications will not be processed.

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Applicant's Signature	Co-Applicant's Signature	Date
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Owner's Signature	Phone#	Email	Date
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Realtor Signature	Phone	Email	Date
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HERITAGE POINTE MASTER ASSOCIATION

Lease Application

Must be submitted 30 days prior to lease occupancy

Return to: Heritage Pointe Master Association
C/O Sentry Management.
6330 Techster Blvd., Suite 1
Fort Myers, FL 33966
Tel. 239-277-0112 Fax: 239-277-0114

Date: _____

Name of Current Owner: _____ Phone #: _____

[] I (we) hereby apply for approval to **lease address:** _____ **Unit** _____
Starting _____ **Ending** _____

Rental/Leasing Agent/or Owner _____ Phone: _____

Address: _____

NOTE: Lease term minimum of thirty (30) days.

In accordance with the governing documents of the Association, this application must be submitted along with required enclosures and applicable fees, thirty (30) days prior to occupancy to allow for processing time. Tenants may not move until the Association has tendered official approval of their lease, and further, that moving in prematurely constitutes grounds for disapproval.

Please submit the following: (Incomplete Applications will be returned)

- a. A signed copy of the lease contract
- b. A non-refundable check for \$100.00 payable to HERITAGE POINTE MASTER ASSOC., INC.
- c. Number of applicants must match lease contract.
- d. A completely filled out application form for all proposed adult occupants of unit.
(Partially completed forms will not be considered)
- e. A criminal background check from country of residency. Background checks are good for three years.
Suggestions: www.criminalwatchdog.com; www.sentrylink.com; www.intelius.com
- f. Report must include: Name & Date of Birth for Person Checked; Gender; Misdemeanor Check – Arrest & Disposition including date(s); Felony Check - Arrest & Disposition including date(s); Offense Code(s); Case Number(s) for Arrests & Dispositions; Offense Description(s) for Arrest & Dispositions

I (we) represent that the following information is complete and true. I (we) agree that any misrepresentation in this application will justify automatic rejection.

Rules Reminders:

1. All renters, guest of Owners and guest of renters must register with the clubhouse off upon arrival.
2. No pets permitted for any renters, or guests.
3. No more than one family of six (6) people may be permitted to occupy a unit while renting or leasing.
4. No bikes can be stored under carports.
5. No grills on lanais or walkways.
6. No personal property may be left or stored outside of any unit at anytime including garbage, chairs, tables, bikes, and potted plants.
7. No more than two vehicles per unit & must be parked in designated areas.
8. No vehicles showing any commercial markings or equipment are allowed.

There are additional rules and regulations that you will be accountable for which should have been provided to you by the owner of the unit.

TYPE OR PRINT LEGIBLY THE FOLLOWING INFORMATION

Full Name of Applicant: _____ **Date of Birth:** _____

Full Name of Spouse: _____ **Date of Birth:** _____

Current Home address: _____

Street number / name

City

State, Zip code

Phone #: _____ Email: _____

US Citizenship yes _____ or no _____ If no what country _____

Make of Car: _____ Year: _____ License No. _____ State: _____

Second car: _____ Year: _____ License No. _____ State: _____

Use of this home is for single family residence only (NO rental sharing). No more than 6 occupants.
Please list the names, relationship and age of all persons who will occupy your home on a temporary basis in addition to the applicants above.

NAMES	RELATIONSHIP	AGE
_____	_____	_____
_____	_____	_____

Have you ever been convicted of a felony? Yes _____ or No _____

If yes, please include details _____

In case of emergency notify _____ Tel# _____ Relationship _____

Address _____ City _____ State & Zip _____

Any litigation such as evictions, suits, judgments, bankruptcies, foreclosure, etc.? Yes _____ No _____

If yes, give details and dates _____
(Please use the back of this page if more space is needed.)

I have received, read and agree to abide by the Declaration, By-laws, Amendments, Articles of Incorporation and the Rules and Regulations of Heritage Pointe Association, Inc.

INITIALS

INITIALS

I understand that upon its receipt of a totally completed Application acceptable to the Association, including a signed copy of the lease, and criminal background check for all proposed adult occupants, the receipt of the application fee (\$100 per Applicant, husband and wife/members of the same family are considered one Applicant) and a personal interview (if requested), the Association has thirty (30) days within which to approve or reject the Application.

I understand that any violation of the terms, provisions, conditions, and covenants of the Governing Documents and Condominium Documents cause for pursuit of remedies therein provided. Although a few provisions of the Governing Documents and Condominium Documents are mentioned herein, all of the Governing Documents and Condominium Documents should be carefully reviewed prior to leasing. I also acknowledge that the Governing Documents and Condominium Documents may be amended from time to time and that a violation of same is also a violation of my lease agreement.

I (we) have read, understood and agree to all of the statements above.

Applicant signature: _____

Printed Name: _____ **Date** _____

Applicant signature: _____

Printed Name: _____ **Date** _____

Acceptance on behalf of Heritage Pointe Master Association.

Approved: _____

Disapproved: _____

Signature of Authorized Representative
For the Board of Directors

Date: _____


**BOARD RESOLUTION APPROVING AMENDMENTS TO
RULES AND REGULATIONS
HERITAGE POINTE MASTER ASSOCIATION, INC.**

WHEREAS, pursuant to the authority granted to the Board of Directors in Article 4.4 of the Amended and Restated Bylaws, the Board of Directors may adopt and amend Rules and Regulations concerning the transfer, use, appearance, maintenance and occupancy of the Units, Common Elements, Limited Common Elements and Common Areas, and to enact rules, policies, and resolutions pertaining to the operation of the Association.

NOW THEREFORE, the attached amendments to the Rules and Regulations are hereby adopted effective this 21st day of March 2016.

There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 7. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

HERITAGE POINTE MASTER
ASSOCIATION, INC.

BY: 
CLAYTON L SNYDER, President

Date: 02-25-2016

(CORPORATE SEAL)

PROPOSED AMENDMENT
HERITAGE POINTE MASTER ASSOCIATION
MEMBERSHIP GUIDE - RULES AND REGULATIONS

Additions indicated by underlining.
Deletions indicated by ~~striking through~~.

Proposed Amendment: MISCELLANEOUS, Rules and Regulations

MISCELLANEOUS

No person shall commit any activity on the common elements which is a fire, health or safety hazard.

There shall be no solicitation by any person anywhere in the Community Center or common elements, for any cause whatsoever, unless specifically authorized by the Office Manager. All notices posted on bulletin boards must be approved by the Office Manager.

~~Only electric grills are allowed on the lanais.~~ Storage and use of personal barbeque or other grills, including electric, gas and charcoal, on the lanais and in the Common Elements is prohibited.

Speed limit within the community is 20 MPH.

ACTIVE: 8150731_1