

JAMES LANDING PROPERTY OWNERS' ASSOCIATION, INC.

POLLICIES AND PROCEDURES

**Policy No:      007-1 VIOLATIONS TO CC&R'S, DESIGN STANDARDS, AND BY-LAWS**

**POLICY:**                    It is the policy and responsibility of JLPOA Board of Directors to uphold the Covenants, Conditions, and Restrictions (CC&R's), Design Standards, and the By-Laws as recorded in the State of Florida, County Court House of Brevard on October 24, 1994. When a person purchases a home in Fames Landing, they in fact sign a contract to adhere to the CC&R's, Design Standards, and the By-Laws. When they do not adhere to these regulations they have in fact broken or violated the contract and are liable for court action.

**Procedure:**

1. When a homeowner is found to have violated the restrictions as stated in the CC&R's, the Design Standards, and/or the By-Laws the violation will be brought to the homeowner's attention in the form of a "letter" (**attachment A**). The homeowner will be given at least fifteen (15) days but no more than thirty (30) days in which to correct the violation.
2. After fifteen (15) days without correction of the violation, the homeowner will receive a "warning letter" that spells out the action that can/may be taken on behalf of JLPOA (**attachment B**).
3. After a further (30) days without correction of the violation, the homeowner will receive notification that the matter will go to Brevard County Court for mediation and the homeowner will be responsible for any costs incurred in addition to correction of the violation (**attachment C**).
4. After a further thirty (30) days (total 90 days), legal action will be filed with Brevard County Circuit Court because of breach of contract on the part of the homeowner.

**James Landing Property Owners Association**

P.O. Box 410504

Melbourne, FL 32941

jameslandingpoa@gmail.com

(Date)

(Name and Address)

**OFFICIAL NOTIFICATION**

Dear (Name),

James Landing is a deed restricted community and as such the homeowners are subject to the Deed Restrictions stated in the Covenants, Conditions, Restrictions, Reservations, and Easements (CC&R's) as published and recorded with the Clerk of the Brevard County Court. In accordance with Florida Statutes, these Deed Restrictions are essentially a contract between the James Landing Property Owners' Association and the homeowners who signed a contract to purchase a home in James Landing.

We regretfully must inform you that your property located at (Address) is in violation of the Deed Restrictions (CC&R's) as follows: (Article\_\_\_\_\_ Paragraph\_\_\_\_\_)

Please correct this violation(s) within fifteen (15) days from receipt of this letter. You can review our CC&R's on our website at [www.jameslanding.com](http://www.jameslanding.com). From the homepage click on the Resource Center listed on the left side of the page then scroll down to the Governing Documents section and click on the CC&R's. If you need further assistance or have any questions you can contact the Board of Directors via the PO Box or email address in the letterhead above. Thank you for your cooperation and we hope to see you at our next monthly board meeting.

Sincerely,

Board of Directors

James Landing Property Owners' Association, Inc.

**James Landing Property Owners Association**

P.O. Box 410504

Melbourne, FL 32941

jameslandingpoa@gmail.com

(Date)

(Name and Address)

**SECOND NOTICE**

Dear (Name),

You recently received an Official Notification from the Board of Directors for James Landing Property Owners' Association regarding a violation of our Covenants, Conditions, Restrictions, Reservations, and Easements (CC&R's). To date the violation(s) has not been corrected. If you persist in not correcting the violation(s) or fail to contact us with regards to your delay, we may be forced to take legal action through the court system. Please be advised if legal action becomes necessary you will be held responsible to pay for all legal costs incurred in addition to correcting the violation(s) to our CC&R's.

A copy of your original Official Notification is attached.

Sincerely,

Board of Directors

James Landing Property Owners' Association, Inc.

**James Landing Property Owners Association**

P.O. Box 410504

Melbourne, FL 32941

jameslandingpoa@gmail.com

(Date)

(Name and Address)

**NOTICE OF INTENT**

Dear (Name),

On (Date) an Official Notification of violation(s) to the James Landing Property Owners' Association Covenants, Conditions & Restrictions (CC&R's) were mailed to you with a request to correct the violation(s) within fifteen (15) days. A Second Notice was mailed to you on (Date) with the first Official Notification attached. As of today's date the violation(s) have not been corrected nor has there been any agreement reached between you and the Board of Directors as to your planned corrective actions.

This letter is sent to inform you that the Board of Directors must pursue legal action through the Brevard County Court for your Breach of Contract. We are confident that the court will not only compel you to comply with our CC&R's but cause you to reimburse the James Landing Property Owners Association for all legal expenses incurred in this action.

Sincerely,

Board of Directors

James Landing Property Owners' Association, Inc.