



**POINTE
EAST**

POINTE EAST HOMEOWNERS' ASSOCIATION, INC.

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Covenant Compliance Policy

How the Board responds when an owner raises a covenant concern

DRAFT for review | Proposed for adoption at the November 10, 2026 meeting

1. Purpose

Pointe East is seventeen lots of neighbors, and most covenant questions are settled by a conversation. This Policy gives the Board a short, consistent process for the few that are not, so that every owner is treated the same way.

The standards are the recorded covenants. This Policy covers process only. It relies on Article XXXII, Section 1 (enforcement), Article VI (architectural approval), and Article XVIII (exterior maintenance) of the Declaration, and on Chapter 720, Florida Statutes. The Declaration and Florida law control over anything in it.

2. Raising a concern

Owners are welcome to talk with a neighbor directly first. To ask the Association to take up a concern, send a signed note by email to board@pointeeasthoa.com or by mail to PO Box 15702, Tallahassee, FL 32317. Say which lot, what the concern is, and when you noticed it. Photographs taken from the road or from your own lot are helpful. Please stay off other lots.

Notes to the Board are Association records that any owner may inspect, including the writer's name.

The Board takes up concerns raised by owners. Directors and committee members have no duty to look for or report covenant concerns. One who notices something may raise it as an owner or leave it alone. Any director may also raise a condition that endangers people or property or blocks a road, easement, or drainage facility the Association maintains.

3. A look and a reply

The Board asks one director to handle each concern, usually the President. Within about 30 days that director:

- reads the covenant that applies;
- looks at the condition from the road;
- checks whether other lots have the same condition, so that every lot with it is handled alike; and
- tells the person who raised it what happens next.

The Association leaves these alone:

- work finished before the date in Section 7;
- matters that belong to a government agency, such as wildlife, permits, and stormwater, which the owner who raised them may take to that agency directly;
- disagreements between neighbors that involve no covenant;
- restrictions that Florida law no longer allows the Association to enforce;
- the pets clause of Article XV as amended in 2019, which reads as if it limits household pets to five lots and is awaiting correction by amendment; and
- removal of dead, diseased, or storm-damaged trees, which Article XXXI, Section 4 requires.

4. A conversation

The director, or another director who knows the owner better, talks with the owner in person or by phone. The conversation covers the concern and the covenant and asks how the owner would like to resolve it. For building or landscaping work, the owner is invited to send the Architectural Committee an application, including for work already done. Most matters end here.

5. A letter

If a matter is still open about 30 days after the conversation, the director sends a letter on behalf of the Board. The letter quotes the covenant, describes the condition and what would resolve it, allows at least 30 days, and offers a time to talk. Every lot with the same condition receives the same letter. The director may agree to more time.

6. The Board

If the matter is still open after the letter, it goes on the agenda of the next noticed Board meeting, and the owner is invited to attend and be heard. The Board may:

- allow more time or approve a written agreement with the owner;
- under Article XVIII, have the maintenance done after ten days' notice and charge the cost to that owner;
- under Article VI, ask the owner to restore or remove work done without approval; or
- ask Association counsel to begin the mediation Florida law requires before a lawsuit.

A lawsuit requires a separate vote and is a last resort. The Association does not fine owners.

7. Looking forward

For building, clearing, and landscaping work, this Policy applies to work begun after the Association sends every owner its Architectural Guidelines. For lawn and grounds upkeep under Article XVIII, it applies from the date of adoption.

For work finished before those dates, the Board opens no matter. The Architectural Committee may invite an application and suggest steps such as replanting. The Board may ask for restoration of earlier work only by vote at a noticed meeting after consulting counsel.

8. Fair dealing

- A director who raised a concern, is its subject, lives next door to it, or is related to any of them, stays out of handling it and abstains from any vote on it.
- Directors may discuss a matter freely and decide it by vote at a noticed meeting. Under Florida law, votes by email or text do not count.
- The Secretary keeps a one-page log of each matter: date, lot, covenant, what happened, and when it closed. When a matter closes, the owner and the person who raised it each receive a short note.

9. Adoption

Proposed for adoption by the Board of Directors of Pointe East Homeowners' Association, Inc. at its meeting of November 10, 2026.