

BYLAWS

	CONTENTS OF THIS COMPILATION	
p.1	IDENTIFICATION OF THE ASSOCIATION	
p.1	DEFINITIONS	
p.1	MEMBERS' MEETINGS / VOTING / PROXIES	
p.5	BOARD OF DIRECTORS	
p.5	OFFICERS	
p.6	BOARD MEETINGS	
p.7	OWNER RIGHTS	
p.7	ENFORCEMENT OF DOCUMENTS / FINES	
p.7	LATE FEES / CLAIMS OF LIEN	
p.8	RENTALS / SALES	
p.8	BUDGET	
p.9	ALLOCATION OF EXPENSES / ASSESSMENTS	
p.9	ANNUAL FINANCIAL REPORT	
p.10	NEW OR CHANGED RULES / REGULATIONS	
p.10	AMENDING BYLAWS	
IDENTIFICATION OF THE ASSOCIATION		
	These are the Bylaws of the Reserve of Pinecrest Condominium Association adopted by the Board.. The Association is a not-for-profit corporation organized under FS 617 to manage, operate and administer the Reserve of Pinecrest, a condominium as set forth in the Articles of Incorporation.	BL-1
	Office of Association shall be any place designated by the Board. [Designated as the Clubhouse at 7504 SW 104 Street, Pinecrest, FL 33156 in 7-15-04 Board minutes }	BL -1.1
	Association's fiscal year is the calendar year.	BL-1.2
	Seal of the corporation shall bear (1) the name of the corporation, (2) the word "Florida", and (3) the words "Corporation Not For Profit".	BL-1.3
DEFINITIONS		
	All terms mean as set forth in FS 718 (1976) as amended through the date of the Articles of Incorporation being recorded in the public records [AI filed 3-23-2001] and as defined in the Articles of Incorporation.	BL-2.1
	All references to Condominium Documents are deemed to include amendments to such.	BL-2.2
MEMBERS' MEETINGS / VOTING / PROXIES		
	See AI-IV for qualifications for membership, manner of admission to membership, and termination of membership.	BL-3.1
	Members shall meet annually for an Annual Members' Meeting within the county at a time and place determined by the Board and designated in the notice of the meeting. The purpose of the meeting is to hear reports of the officers and transact any other business appropriate to the membership such as voting, waiving reserves, or amending Condominium Documents.	BL-3.2

<p>Members shall elect Board members (Annual Members’ Election) to fill vacancies caused by expiration of office as specified in AI-IX.</p>	BL-3.3
<p>A Special Members’ Election can be called to fill a vacancy caused by recall of a board member or turnover of control by Developer. The same rules apply as for the Annual Members’ Election.</p>	BL-3.4
<p>Special Members’ Meetings can be called at any place in Florida by the Association President or Vice President or a majority of the Board. A special meeting must be called by the President or Vice President if petitioned in writing by at least 25% of members [reduced to 20% by FS 718, as of 10/2008], except as specified in BL-4.5(a) and BL-7.3(b). The business at any special meeting is limited to items specified in the petition and in the meeting notice.</p>	BL-3.5
<p>Written notice of the Annual Members’ Election must be mailed to each Member at last known address. A <u>first notice</u> must be mailed not less than 60 days before the meeting. Proof of the mailing can be by (i) affidavit of person who mailed notices, (ii) post office certificate of mailing, or (iii) other methods required by the Act. First notice must contain name and address of the Association, time and place of the meeting and the meeting’s purpose.</p>	BL-3.6
<p>Any owner or other eligible person may be a candidate for the Board by complying with these Bylaws and the Act.</p>	BL-3.7
<p>A <u>second notice</u> must be mailed or delivered per the Act not less than 14 days before the Annual Members’ Election meeting along with a ballot, any information sheets submitted by the candidates (Association not liable for contents), a ballot-sized envelope, and a larger envelope. The voter completes the ballot, seals it in the ballot-sized envelope (only one ballot per envelope), and seals the ballot envelope(s) in the larger envelope (multiple ballot envelopes from the same voter permitted in one large envelope). The large envelope is addressed to whoever is authorized to receive the ballots, marked with the unit number(s) being voted, the printed name of the voter, and the signature of the voter. The large envelope shall either be mailed or hand delivered to the Association. After receipt, no ballot may be rescinded or changed.</p>	BL-3.8
<p>The ballot must list in writing in alphabetical order by surname each and every eligible candidate. Failure to list an eligible candidate who gave written notice per the Act and Bylaws renders the election null and void. The ballot shall not indicate which candidates are incumbents. The ballot must not contain any means of identifying the voter. All ballots must be uniform in appearance. Envelopes containing ballots are collected unopened by the Association and not opened except in the manner prescribed by the Act and Bylaws.</p>	BL-3.9
<p>The Association may validate ballots in advance of the Annual Members’ Election as follows:</p> <ol style="list-style-type: none"> 1) Select an “impartial” committee, i.e., does not include any members or spouses of current board members, officers, and candidates for the board. 2) Provide notice that the committee is meeting on the date of the election. 3) Committee checks exterior envelope signatures and unit identifications against a list of qualified voters (checking off all those with valid ballots). 4) Any unsigned exterior envelopes are marked “disregarded” and ballots therein not counted. 5) Keep all envelopes and ballots as part of the Association’s official records. 	BL-3.11
<p>At the time of the Annual Members Election meeting:</p> <ol style="list-style-type: none"> 1) Any envelopes containing ballots not pre-validated are brought to the meeting. 2) Blank ballots (and envelopes) are available for eligible votes who have not yet voted. 	BL-3.10 BL-3.12

<ol style="list-style-type: none"> 3) First, the Board or Board-appointed persons validate any ballots not previously validated (checking off the list of eligible voters all those with valid ballots). 4) Any unsigned exterior envelopes are marked “disregarded” and ballots therein not counted. 5) Second, the inner envelopes are removed from the exterior envelopes and all placed in a single receptacle. No more ballots can be accepted after opening of the exterior envelopes begins. 6) Third, inner envelopes are opened and ballots counted in the presence of owners in attendance. Any inner envelope containing more than one ballot shall be marked “disregarded” and the ballots therein not counted. 7) All envelopes and ballots are kept as part of the Association’s official records. 	
<p>Election and balloting are not required unless the number of candidates exceeds the number of vacancies on the Board to be filled. In that event, the Association simply announces the new director at the Annual Members’ Meeting. All candidates take office immediately following adjournment of the Annual Members’ Meeting.</p>	BL-3.12
<p>A voter who requires assistance to vote may be helped in casting his vote by any board member or other owner.</p>	BL-3.13
<p>Unless a Member has waived in writing the right to receive notice, written notice of any members’ meeting shall be mailed to each Member at his last know address in a way required by the Act</p> <ol style="list-style-type: none"> a) for the Annual Members Meeting: not less than 14 days nor more than 40 days prior to the date of the annual meeting. b) for special members’ meetings: not less than 10 days nor more than 40 days prior to the date of the special meeting. 	BL-3.14
<p>A greater or lesser amount of time is permitted if the Condominium Documents specify something different elsewhere that is not in conflict with the Act. Proof of mailing is by affidavit of whoever mailed the notice and also by any other method required by the Act. The notice must state time and place of the meeting, the purpose(s) for which the meeting is called and list the agenda items. The notice of the Annual Members’ Meeting must also be posted in a conspicuous place on the Condominium Property at least 14 days prior to the meeting.</p>	
<p>Members may waive notice of special meetings. A the discretion of the Board, Members may act by written agreement in lieu of meeting on matters for which such action is expressly permitted by the Condominium Documents. Unless waived, written notice of matter(s) to be considered by written agreement in lieu of meeting must be given to all members as specified in BL-3.14. The notice must set a time period in which response must be given by the Members or their Proxies. If a quorum of Members submits a response, the decision of the majority is binding on all Members unless it is a question which by express provisions of the Act or Condominium Documents requires a vote other than a majority of a quorum, in which case the express provisions control.</p>	BL-3.15
<p>A quorum of Members = a majority of voting interests [for the Reserve = 35]. If a quorum is present at a meeting and a question is raised within the jurisdiction of the meeting, the majority present in person or represented by written proxy is required to decide the question unless it is a question which by express provisions of the Act or Condominium Documents requires a vote other than a majority of a quorum, in which case the express provisions control. In addition, per the Act, a quorum of 20% of eligible voters is required at the Annual Members’ Election or Special Members’ Election.</p>	BL-3.16
<p>If a members’ meeting, other than Annual or Special Members’ Election, lacks quorum, the Members who are present either in person or by proxy may adjourn until a quorum is present. Even</p>	BL-3.17

<p>if such meeting has quorum, it may be adjourned to a later date by a majority vote of the members. Any business to be conducted at the originally scheduled meeting may be conducted at the continued meeting. Notice requirements for the continued meeting are determined by the Board per the Act.</p>	
<p>At or prior to the Annual Members' Election, the Board may appoint an election committee of 3 Members and 1 officer of the Association to supervise the election, count and verify ballots per BL-3.10 and the Act, disqualify votes per BL-3.10 and the Act, and certify the election to the Board. The committee may talk to Owners or other eligible persons about becoming a candidate for the Board but may not nominate a candidate. This committee may decide questions within its jurisdiction by plurality vote but, if deadlocked, refers the question to the Board to resolve.</p>	BL-3.18
<p>If a members' meeting lacks quorum, the Members who are entitled to vote thereat who are present either in person or by proxy may adjourn the meeting until a quorum is present. No further notice of the adjourned meeting is required unless otherwise determined by the Board. In event of such adjournment or postponement, the quorum requirement at the continued meeting is reduced to one-third of voting interests. Actions by a majority of the voting interests present in person or by proxy at the continued meeting are binding on all Members for all purposes unless it is otherwise specified in the Act or Condominium Documents. The reduced quorum requirement applies only if the Board sends notice of the adjourned or postponed meeting to the Members specifically providing that quorum requirements will be reduced.</p>	BL-3.19
<p>Minutes of all meetings shall be kept in a businesslike manner and available for inspection by Members at all reasonable times. Minutes shall be retained for at least 7 years after the meeting.</p>	BL-3.20
<p>Voting rights of Members are defined in DC and AI. Votes may be cast in person or by proxy. A proxy is a written instrument, signed by a Member, delegating to a different person the right to cast votes in the Member's stead. Proxies are valid only for the meeting designated therein and any lawful adjournment of that meeting. No proxy, however, is valid for more than 90 days after the first meeting for which it was given. Each proxy shall contain the date, time and place of the meeting for which the proxy is given. A limited proxy can set forth just those items which the holder may vote and the manner in which the vote is to be cast. Owners cannot vote by general proxy except as provided by FS 718.112(2)(b)(2) [general proxies OK for nonsubstantive changes only]. Proxies must be filed with the Association Secretary before the meeting to be effective. Proxies can be revoked any time before a vote is cast by the proxy. Proxies may not be used for election of directors.</p>	BL-3.21
<p>Any Members may demand voting be by secret ballot. If so, chairman of the meeting shall call for nominations for inspectors of election to collect and tally written ballots.</p>	BL-3.22
<p><u>Members List:</u> After mailing notice of any meeting, the Association shall prepare an alphabetical list of names, unit numbers and addresses of all Members who were mailed a notice. The members' list must be available for inspection and copying by any Member or his agent or attorney, at his expense, at all reasonable times, i.e., during normal business hours. All records related to voting by Owners must be kept by the Association for at least one year afterwards. The members' list shall be available at any meeting, and any Member or his agent or attorney may inspect the list at any time up to the start of the meeting. The members' list is prima facie evidence of the identity of Members entitled to examine the members' list or to vote at a Members' meeting. If the Association refuses to let a Member, his agent or attorney inspect the members' list, the meeting is adjourned until inspection is complied with or until Dade County circuit court may order the inspection and postpone the meeting until inspection is complete. Refusal or failure to comply with BL-3.23 thru 3.27 does not affect the validity of actions taken at the meeting.</p>	BL-3.23 BL-3.24 BL-3.25 BL-3.26 BL-3.27 BL-3.28

<p>Members are entitled to speak on agenda items at Members’ meetings, subject to reasonable written rules adopted by the board governing frequency, duration and manner of members’ statements. Those rules can be changed by a two-thirds vote of voting interests at the meeting. Owners may tape record or video tape a members’ meeting, subject to administrative rules set by the board.</p>	BL-3.29
<p>Members may submit written agreement or disagreement with actions taken at a meeting the member did not attend, but this cannot be used as a vote or to obtain quorum.</p>	BL-3.30
<p>Conduct of meetings is governed by the latest edition of <u>Robert’s Rules of Order</u> when not in conflict with the Condominium Documents or the Act. If a conflict, the latter prevail.</p>	BL-9
<p>BOARD OF DIRECTORS</p>	
<p>The Association is to be run by a board of not less than 3 directors. The board may change the number of director at the Annual Members’ Election but must maintain an odd number. Directors must be Association members or spouses, parents or children of members.</p>	BL-4.1
<p>Selection, designation, election and removal of directors is specified in the Articles (AI-IX). Election is by a plurality of votes at a properly held Annual Members’ Election.</p>	BL-4.2
<p>Vacancies on the Board due to death or resignation are filled by majority vote of the remaining directors. This replacement director has all the rights, privileges, duties and obligations as if elected at an Annual Members’ Election and holds office for the remaining term of the replaced director.</p>	BL-4.3
<p>The term of each director’s service extends until the next Annual Members’ Election and thereafter until a successor is duly elected, or until he is removed. [This provision presumably is modified by AI-IX.G which sets alternating two year terms.]</p>	BL-4.4
<p><u>Director Removal</u>: A director elected by the owners may be removed with or without cause by a majority vote or written agreement of the owners holding a majority of the voting interests at a special members’ meeting called, subject to BL-3.14 notice, upon written request of owners holding 10% or more of voting interests. See FS 718.112(2)(j) and the Florida Administrative Code [FAC] for the procedure. The resulting vacancy is filled per BL-4.3 unless a majority of the Board is removed, in which case follow the FAC. Operation of the Association after removal but prior to replacement election is per the FAC.</p>	BL-4.5
<p>OFFICERS</p>	
<p>Executive officers of the Associations are the following:</p> <ul style="list-style-type: none"> - <u>President</u> – chief executive officer, must be a director, has all customary powers and duties of a condominium association president including power to appoint committees of members to assist in conducting affairs of the Association, presides at all board meetings. - one or more <u>Vice Presidents</u> – assists President, exercises any other powers and duties assigned by the Board, performs for the President if he is absent or incapacitated. - <u>Treasurer</u> – has custody of all Association property including funds, securities, etc., keeps the assessment rolls and accounts of members, keeps Association books in accordance with good accounting practices, performs all duties customary for a treasurer. - <u>Secretary</u> – keeps minutes of all board and members’ meetings in a businesslike manner, keeps minutes available for inspection at reasonable times, has custody of the seal of the Association and affixes it to instruments when appropriate, keeps all Association records 	<p>BL-6.1 BL-6.2 BL-6.3 BL-6.4 BL-6.5</p>

<p>except for those of the Treasurer, performs all duties customary for an Association secretary and as required by the Board or President.</p> <ul style="list-style-type: none"> - optional Assistant Treasurer - optional Assistant Secretary <p>All officers are elected annually by the Board. Any officer may be removed without cause by a vote of directors at any board meeting. The Board may also from time to time elect officers and designate powers and duties as needed to manage the affairs of the Association.</p> <p>Officers receive no compensation for services. This provision, however, does not stop the Board from hiring a director or an officer as an employee of the Association or from contracting with a director or officer to manage all or any portion of the condominium. The compensation of all employees of the Association is set by the Board.</p> <p>Association must have fidelity bonding of all persons who control or disburse funds of the Association per FS 718.112(2)(j) [sic, actual statute = FS 718.111(11)(d) which requires “adequate insurance or fidelity bonding of all persons who control or disburse funds of the association”.]</p>	<p>BL-6.6</p> <p>BL-11</p>
<p>BOARD MEETINGS</p>	
<p>[no longer pertinent after 100% turnover]</p>	<p>BL-4.6</p>
<p>Regular meetings of the Board may be held at such time and place as shall be determined from time to time by a majority of directors. Special Board meetings may be called at the discretion of the President or Vice-President and must be called upon request of one-third of directors.</p>	<p>BL-4.7</p>
<p><u>Meeting Notice</u>: The time, agenda and place of regular and special Board meetings must be noticed to each director personally, by mail or by telephone [by email??] at least 3 days before the meeting date. Except in emergency, notice of a Board meeting including time, place and agenda must be posted conspicuously at a officially designated place on the Condominium property at least 48 hours in advance. Notice of meetings considering non-emergency assessments or amendment of rules affecting unit use must be mailed or delivered to owners and posted conspicuously at least 14 days prior to the meeting. Proof of such mailing can be by affidavit of the Association secretary or other methods per the Act. Any director may waive notice of meetings.</p> <p><u>Meeting Agenda</u>: Any item not included on the notice may be taken up on emergency basis by at least a majority plus one of the Board members. Emergency actions must be noticed and ratified at the next regular Board meeting. Notice of any meeting that considers assessments must specifically state that and the nature of the assessments.</p>	<p>BL-4.9</p>
<p>Presiding officer at board meetings is the President. If President is absent, directors designate one of their number to preside.</p>	<p>BL-4.10</p>
<p>Directors receive no compensation for their services.</p>	<p>BL-4.11</p>
<p>The Board may appoint executive committees consisting of not less than 2 directors that have and exercise such powers as the Board may delegate.</p>	<p>BL-4.12</p>
<p>Board meetings or any committee meetings at which a quorum of Board members is present, for the purpose of conducting Association business, must be open to all owners. Observers have the right to tape record, videotape, and participate in the meeting on all agenda items according to rules and regulations.</p>	<p>BL-4.13</p>

<p>Board or committee meetings may be held telephonically per FS 718.112(2)(b)(5). [Telephone speaker must be used so that the conversation of the board or committee members attending by telephone can be heard by the board and other attendees, and vice versa.]</p>	<p>BL-4.14</p>
<p>OWNER RIGHTS</p> <p>If an owner sends a written complaint to the Board by certified mail, the Board must respond in writing within 30 days. The Board must give a substantive response, including whether a legal opinion or advice from Florida Dept of Business & Professional Regulation has been requested. If the former, the Board has 60 days after receipt of the complaint to provide a written substantive response. If the latter, the Board must provide a written substantive response within 10 days after the advice is received.</p> <p>Unit owners have right to seek nonbinding arbitration per FS 718.112(2)(k) & 718.1255.</p>	<p>BL-5.6</p> <p>BL-5.8</p>
<p>ENFORCEMENT OF DOCUMENTS / FINES</p> <p>The following is an optional procedure for enforcing the documents:</p> <ol style="list-style-type: none"> 1) <u>First Notice</u> – When noncompliance of a document provision or rule or regulation by an owner, family member, guest, invitee or lessee, the Association sends a certified letter to the owner advising of the rule or provision violated and warning that strict compliance is required. A deadline for compliance is set. Each day the violation occurs is a separate offense. 2) <u>Second Notice</u> – If the violation is repeated or continues past the deadline, the Board sends a second certified notice and may levy a fine*. A second deadline is set. 3) <u>Third Notice</u> – Upon the Board verifying a third report of the violation repeating or continuing beyond the second deadline, an additional fine* may be levied. 4) <u>Fourth Notice</u> – Upon even further repeated offenses or in any case where the Board deems it appropriate, the Board may seek injunctive relief through court action. <p>* Before any fine may be levied, the Association must give the offending party reasonable notice and opportunity for a hearing. The hearing before a committee of unit owners allows the owner to seek exemption from the given provision or rule. A fine may be levied for each day of a continuing violation but may not in aggregate exceed the maximum amount permitted by the Act.</p> <p>The Association’s right to fine does not limit its right to seek other enforcement methods as long as they are per the documents and at law or in equity.</p> <p>The Association has the right to seek nonbinding arbitration per FS 718.112(2)(k) & 718.1255.</p> <p>Board may accept a certificate of compliance from a licensed electrical contractor or electrician as evidence that a unit meets applicable fire and life safety codes.</p>	<p>BL-5.1</p> <p>BL-5.2</p> <p>BL-5.4 (a)</p> <p>BL-5.8</p> <p>BL-7.1 (c)</p>
<p>LATE FEES / CLAIMS OF LIEN</p> <p>Any owner who fails to timely pay any assessment shall be charged a late charge equal to the greater of \$25 or 5% of the assessment installment. These amounts are set by the Act and change accordingly if the Act is amended to increase or decrease the amounts. In addition, the owner must pay all legal fees, including paralegals and court costs, incurred in the collection of late assessments whether or not an action at law has commenced. The schedule of legal fees is as follows:</p>	<p>BL-5.3</p>

<ul style="list-style-type: none"> - Claim of Lien = \$100 plus recording cost and notice costs - Subsequent Claims of Lien = \$50 plus recording costs - Satisfaction of Lien = \$50 plus recording costs - Any further action = attorney or paralegal hourly rate <p>The Board may change these charges as long as they conform to the Act.</p>	<p>BL-5.4 (b)</p>
<p>RENTALS / SALES</p> <p>Association may require lessees to place a security deposit, not exceeding one month's rent, into an escrow account to protect against damages to Common Elements or Association property. This deposit is handled per FS 83, Part II [Residential Tenancies].</p> <p>The Board may charge a fee, per the Act, for approving or disapproving proposed unit purchasers.</p>	<p>BL-5.5</p> <p>BL-5.7</p>
<p>BUDGET</p> <p>A proposed budget for the common expenses for the next year must be adopted <u>by the Board</u> at a special Budget Meeting at least 60 days before the start of that year. Prior to the Budget Meeting a proposed budget is prepared by the Board which must include all appropriate operating expenses, capital expenditures and reserves for deferred maintenance.</p> <p>The reserve fund portion of the budget, which is designated for the periodic maintenance, repair and replacement of condominium property per the Act, should cover roof replacement, pavement resurfacing, exterior painting and any other deferred maintenance item for which the cost exceeds \$10,000. The amount to be reserved annually is calculated by dividing the item's estimated replacement cost by its estimated life. A majority of owners at a meeting where a quorum of owners is present may elect to have less than a full reserve or no reserve. If so, the applicable budget has such lesser reserves or no reserves</p> <p>A copy of the proposed budget and notice of the exact time and place of the Budget Meeting must be mailed to each Member at the last known address not less than 14 days before the meeting. Common expenses must be paid even if a budget is not adopted on time. A copy of the adopted budget and the amount of assessment to be paid by each owner must be mailed to each owner by at least 30 days prior to the start of the new budget year. [minimum time = prepare proposed budget in October, Budget meeting in November]</p> <p>(i) Reserve's fiscal year = the calendar year. (ii) Any income in a year may be used to pay expenses in that year. (iii) Expenses covering more than one year are apportioned to each year pro rata. (iv) Assessments must be at least monthly in an amount to pay anticipated expenses. (v) Expenses are charged in the year incurred regardless of when billed. (vi) Despite the foregoing "accrual" type instructions, assessments must be sufficient to pay all anticipated expenses on a cash basis. (vii) Accounting must conform to GAAP.</p> <p>The Board is not required to pay expenses that exceed the budget. The Board is not required to engage in deficit spending. If there is a deficiency, the deficit must be carried into the next year <u>or</u> be covered by a special assessment.</p> <p>The Board may include in the proposed budget expenses for making improvements to the</p>	<p>BL-7.2 (a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p> <p>(e)</p> <p>(f)</p>

<p>condominium property and for anticipated expenses that do not occur on a regular or annual basis.</p> <p>Pending any change in FS 718.112(2)(e), if the assessment to meet the budget is greater than 115% of the prior year – not including the long-term reserves, expenses not incurred on a regular or annual basis and expenses for betterment of condominium property – and if at least 10% of the voting interests [for the Reserve = 7] make a written application for a special meeting within 20 days after the Budget Meeting, then the Board must call a special meeting to be held within 30 days of receipt of the application with at least 10 days notice to each owner. At the special meeting, a majority of voting interests may consider and enact a revised budget that must then be incorporated into the final budget. If the FS % is changed, this provision still applies with the substituted %. An assessment greater than 115% of the prior year cannot be imposed until after the above rights have expired.</p> <p>If no budget gets adopted, until a budget is adopted, the prior budget increased 10% shall be the budget for the next year.</p>	<p>BL-7.3 (a)(b)(c)</p> <p>(d)</p>
<p>ALLOCATION OF EXPENSES / ASSESSMENTS</p> <p>Common expenses are those expenses allocated to the operation and management of the condominium. They are apportioned to each Owner based on his share as provided in DC Exhibit E “Schedule of Undivided Interest in Common Elements Appurtenant to Each Unit”. In addition each owner is liable for any special assessments levied by the Board against his Unit. Funds collected from a special assessment may only be used for that specific purpose <u>or</u> returned to owners. Excess funds are a common surplus.</p>	<p>BL-7.4</p>
<p>ANNUAL FINANCIAL REPORT</p> <p>Association must maintain official record per FS 718.111(12), open to inspection by members and first mortgagees or their representatives at reasonable times, although Association may charge actual costs for copies of any documents. Representatives must have written authorization from the member dated in the previous 5 days. Official records include accounting records kept per good accounting practices and retained for at least 7 years. Accounting records must include:</p> <ul style="list-style-type: none"> (i) accurate, itemized, detailed record of all receipts and expenditures; (ii) a current account statement; (iii) monthly statement of each unit’s account as required by the Act showing owner’s name, due date and amount of each assessment, amount paid, and balance due; (iv) all audits and reviews, accounting statements, and financial reports of the Association; (v) all contracts for work to be performed; and (vi) all bids (which must be kept for at least one year). <p>An annual report of actual receipts and expenditures must be prepared by an accountant or CPA per FS 718.111(13) & FAC 61B-22.006. [Association must mail to each owner a copy of the financial report or a notice that the report will be delivered without charge upon a written request. An Association the size of the Reserve, i.e., annual receipts over \$200,000 but less than \$400,000, is only required to prepare “reviewed” financial statements.] The report must be furnished per the Act to each member by no later than April 1st. [The Act states “not later than 120 days after the end of the fiscal year” = approximately May 1st].</p>	<p>BL-7.1 (a)</p> <p>BL-7.1 (b)</p>

<p>BANKING</p> <p>The depository of the Association’s money shall be a bank designated by the Board. Withdrawals shall be only by checks signed by the President and/or Treasurer and/or others authorized by the Board. All funds shall be in the Association’s name. Reserve funds shall be kept separately from operating funds. Reserve funds must remain in the reserve account for authorized reserve expenditures unless their use for other purposes is approved by a majority of voting interest at a duly called meeting. If the Association utilizes a management company, the management company must keep records and bank accounts for the Association separate from any other association. The management company shall not have authority to draw or transfer reserve funds.</p>	<p>BL-7.5</p>
<p>NEW OR CHANGED RULES / REGULATIONS</p> <p>The Board may adopt, amend or rescind the Rules & Regulations for use and operation of the condominium at any meeting of the Board provided the rules are not inconsistent with the condominium documents.. Copies of any new or changed rules must be mailed to all owners at last known address, and do not take effect until 48 hours after such mailing.</p>	<p>BL-8</p>
<p>AMENDING BYLAWS</p> <p>Bylaws may be amended by 1) a majority vote of members, in person or by proxy, at a properly held annual or special members’ meeting, plus 2) a majority vote of the Board at a regular or special board meeting. A copy of the proposed amendment must be sent along with the notice of the members’ meeting. However, an amendment may be approved at the same board meeting or members’ meeting at which it is proposed. If proposed and approved by one group, an amendment must be approved by the other group before it is effective. An amendment may be proposed by either the Board or the members. No amendment may affect or impair the priority of any holder, insurer or guarantor of a first mortgage on any unit of the condominium, or the validity of such mortgage, or the rights of the Developer.</p>	<p>BL-10</p>