

[ASSOCIATION NAME]

c/o [MANAGEMENT COMPANY OR ASSOCIATION ADDRESS]

[CITY], Florida [ZIP]

[PHONE] | [EMAIL]

NOTICE OF VIOLATION

[DATE OF THIS LETTER]

[OWNER NAME]

[OWNER MAILING ADDRESS LINE 1]

[OWNER MAILING ADDRESS LINE 2]

PROPERTY: [PROPERTY ADDRESS]

LOT, UNIT OR PARCEL: [LOT, UNIT OR PARCEL NUMBER]

DELIVERED BY: [HAND DELIVERY, FIRST-CLASS MAIL, CERTIFIED MAIL, OR E-MAIL TO THE ADDRESS DESIGNATED IN THE ASSOCIATION'S OFFICIAL RECORDS]

CERTIFIED MAIL NO.: [ARTICLE NUMBER, OR "NOT SENT BY CERTIFIED MAIL"]

RE: Notice of violation, [SHORT DESCRIPTION]. This is a first notice. It is not a fine and it is not a suspension.

Dear [OWNER NAME]:

WHAT WAS OBSERVED

On [DATE OBSERVED] at approximately [TIME OBSERVED], [WHO OBSERVED IT, AND IN WHAT ROLE] observed the following at [SPECIFIC LOCATION ON THE PROPERTY]:

[DESCRIBE WHAT IS THERE, WHERE IT IS, AND HOW LONG IT HAS BEEN THERE IF KNOWN]

Evidence enclosed with this notice: [PHOTOGRAPH OR INSPECTION NOTE, WITH THE DATE IT WAS TAKEN, OR "NONE"]

THE PROVISION THIS APPEARS TO VIOLATE

This condition appears to conflict with [DOCUMENT NAME: DECLARATION OF COVENANTS, DECLARATION OF CONDOMINIUM, BYLAWS, OR RULES AND REGULATIONS], adopted or recorded [DOCUMENT ADOPTION OR RECORDING DATE], at [ARTICLE OR SECTION NUMBER], which provides:

"[QUOTED TEXT OF THE PROVISION]"

The specific aspect that does not appear to conform is [NAME THE SPECIFIC ASPECT, FOR EXAMPLE: THE HEIGHT OF THE FENCE, AT APPROXIMATELY 8 FEET, WHERE THE STANDARD PERMITS 6 FEET].

WHAT RESOLVES THIS

To resolve this matter, please take the following action by [CURE DEADLINE DATE]:

[THE SPECIFIC ACTION THE OWNER SHOULD TAKE]

IF YOU DISAGREE, OR IF THIS IS A MISTAKE

If you believe this notice is in error, if the condition has already been corrected, or if there is a circumstance we should know about, contact [CONTACT NAME] at [CONTACT PHONE] or [CONTACT EMAIL] before [CURE DEADLINE DATE]. Please tell us in writing if you can, so that your response goes into the association's file alongside this notice. If the condition relates to a disability or a request for a reasonable accommodation, please tell us. That request is handled under a different process and is not an enforcement matter.

IF THIS IS NOT RESOLVED

If the condition is not resolved by [CURE DEADLINE DATE], the board may consider further action. Any fine or suspension of use rights would require a separate written notice to you, at least 14 days in advance, of your right to a hearing before an independent committee. That committee, not the board, decides whether a proposed fine or suspension may be imposed.

WHAT THIS NOTICE DOES NOT DO

This notice does not impose a fine, does not suspend any use right, and does not create any charge against your account. It is not the 14-day notice of a right to a hearing that Florida law requires before a fine or suspension may be imposed. No attorney fees or costs are being sought, and none accrue on the basis of this letter.

Thank you for your attention to this. Most notices of this kind are resolved with a single conversation, and we would prefer that outcome here.

Sincerely,

_____ Date: _____

[SIGNER NAME], [SIGNER TITLE]

[ASSOCIATION NAME]

Enclosures: [LIST WHAT IS ENCLOSED, OR "NONE"]

Copy to: association file

Copy to: occupant, [TENANT OR OCCUPANT NAME AND ADDRESS, OR "NONE"]

Optional additions

The document above is complete as it stands. Use nothing on this page unless the situation described applies to your association.

If a tenant or occupant lives at the property

The copy block already carries a line for this. Fill in the tenant or occupant name and address, and mail a copy of the notice to them as well as to the owner. If the owner lives at the property, write “none” on that line.

If the cure is an application rather than an act

Add this sentence after the action in “What resolves this”:

Submit a completed architectural review application for this improvement by [APPLICATION DEADLINE DATE]. An application does not by itself resolve the matter, and approval is not automatic, but it moves the question to the committee that is supposed to decide it.

If this is a second notice

Change the subject line to read “This is a second notice”, re-inspect the property before sending, and add this sentence at the start of “What was observed”:

We wrote to you about this on [DATE OF FIRST NOTICE]. As of [DATE OF RE-INSPECTION], the condition described below remains.

If this is the final notice before referral

Re-inspect first, change the subject line to read “This is a final notice”, and replace “If this is not resolved” with:

If this is not resolved by [FINAL DEADLINE DATE], the board will consider at its [BOARD MEETING DATE] meeting whether to propose a fine or a suspension of use rights, or to refer this matter to counsel. If the board proposes a fine or suspension, you will receive a separate written notice at least 14 days in advance of your right to a hearing before an independent committee.

State no dollar amount. The board has not proposed a fine and the committee has not confirmed one.

If the condition has been corrected

Send this letter instead, and close the file:

On [DATE OF RE-INSPECTION] we confirmed that the condition described in our notice of [DATE OF FIRST NOTICE] has been corrected. This matter is closed and no further action is required. A copy of this letter has been placed in the association’s records. Thank you.