

**WINDING RIDGE PROPERTY OWNERS ASSOCIATION, INC.
RULES AND REGULATIONS**

OFFICIAL RECORDS

Pursuant to section 720.303(5)(c), Florida Statutes, as may be amended from time to time, in an effort to efficiently conduct the business of Winding Ridge Property Owners Association, Inc. (the "Association") and to ensure that all of the Association's members ("Member" or "Members") have an opportunity, if so requested, to reasonably access and inspect the official records of the Association, maintained in accordance with section 720.303(4), Florida Statutes, as may be amended from time to time, the following rules and regulations shall govern official records requests, inspection, and copying.

1. **Scope.** Subject to the exceptions as set out in section 720.303(5)(c), Florida Statutes, as may be amended from time to time, the official records of the Association are open to inspection and copying by any Member, or the authorized representative of such Member as the Member may designate in writing to the Association ("Member Representative"), in the manner set out in these Rules and Regulations.

2. **Request.** Any request to inspect and/or copy the Association's official records must be made in writing, sent by certified mail, return receipt requested, to the Association at its clubhouse located at: 3000 Acacia Bay Ave. Wesley Chapel, Florida 33543. The Association may promulgate an official records request form, from time to time. All requests received in any other manner will be disregarded and shall in no way obligate the Association to allow such Member, or Member Representative, to inspect or copy the Association's official records.

- a. Requests must be described with sufficient specificity as to allow the Association to locate the requested official records. Notwithstanding the foregoing, the Association shall not be obligated to identify and retrieve the requested official records and/or provide the Member with only what was requested.
- b. Wherever applicable, the request must specify pertinent dates and/or time periods for the requested official records.
- c. Please indicate, as may be applicable, which requested official records you wish to be photocopied and include a check made payable to the Association in the total amount as determined by Rule 6, Rule 7, and Rule 8 of these Rules and Regulations.
- d. Requests for inspection and/or copying of the Association's official records may, at the Board's sole and unfettered discretion, be referred to Association's legal counsel for assistance.

- e. The Association shall not research the official records. For example, a request to “provide the maintenance bills for the five most expensive months during the past three years” is not acceptable. Whereas, a request to “provide all maintenance bills for the past three years” is acceptable.
- f. The Association shall not be required to deliver records in any particular form. No document or report will be created in a format other than that document or report as kept in the ordinary course of business.

3. **Frequency and Duration.** In accordance with section 720.303(5)(c), Florida Statutes, as may be amended from time to time, a Member or Member Representative is entitled to one (1), eight (8) hour business day inspection of the Association’s official records per month.

4. **Date and Time.** Official records shall be made available for inspection and copying within ten (10) business days of receipt by the Association of a written request provided in accordance with Rule 1 above. A Member or Member Representative shall only inspect the Association’s official records on a business day during normal business hours. The Association shall provide date and time options for the inspection of the requested official records to the Member or Member Representative from which the Member or Member Representative may select.

5. **Location.** The Association shall designate, from time to time, a location for the inspection and copying of the official records. In any event, the Association’s official records shall be made available for inspection and copying at a location within forty-five (45) miles of Winding Ridge or within Pasco County, Florida.

6. **Vendor Fees.** In the event the Association’s official records are maintained by or are in the possession of a third-party vendor from whom the Association must obtain such official records to satisfy the request, any fees charged by the third-party vendor shall be invoiced to the Member or Member Representative and paid by the Member or Member Representative before the records are ordered from the vendor.

7. **Photocopying Costs.**

- a. In the event the Association has a photocopy machine available where the official records are maintained, the Association shall provide the requesting Member or Member Representative with copies, upon the request of the Member or Member Representative, during the inspection if the entire request is limited to no more than twenty-five (25) pages. If the official records requested to be copied exceed twenty-five (25) pages in length, the Association shall charge twenty-five cents (\$0.25) per page for copies made on the Association’s photocopier.
- b. In the event the Association does not have a photocopy machine available where the official records are kept or if the official records requested to be

copied exceed twenty-five (25) pages in length, the Association may, in its sole and unfettered discretion, have copies made by an outside duplicating service and shall charge the actual cost of copying, as evidenced by the vendor invoice.

- c. A Member or Member Representative may use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records, free of charge, in lieu of the Association's providing the Member or Member Representative with a copy of such records.

8. **Personnel Costs Attorneys' Fees.** In the event the time spent retrieving and/or copying the requested official records exceeds thirty (30) minutes, the Member or Member Representative shall pay personnel costs not to exceed twenty dollars (\$20.00) per hour. Personnel costs shall not be charged for official records requests that result in the copying of a total of twenty-five (25) or fewer pages. In the Association's sole discretion, if the Association deems it necessary to have the Association's attorney present during the inspection due to the nature of the request or the official records requested, then the Member or Member Representative shall be responsible to pay the estimated attorneys' fees prior to inspection of the official records unless otherwise prohibited by prevailing law.

9. **Inspection and/or Copying.**

- a. The inspection and copying of the Association's official records shall be limited to those official records requested in advance and in writing.
- b. The Association shall not be required to interpret any document found within the official records and shall not be obligated to answer questions during the course of the inspection of the official records.
- c. No portion of the Association's official records shall be removed by a Member or Member Representative from the inspection room unless such records were provided to the Member or Member Representative as a requested copy.
- d. No Member or Member Representative shall mark, write upon, or otherwise mark or alter any portion of the official records of the Association.
- e. In the event the conduct of a Member or Member Representative becomes inappropriate during the inspection of the Association's official records, the inspection shall be immediately terminated.

10. **Non-Accessible Official Records.** Pursuant to section 720.303(5)(c), Florida Statutes, as may be amended from time to time, the following records are not accessible to Members or Member Representatives:

- a. Any record protected by the lawyer-client privilege as described in section 90.502, Florida Statutes, and any record protected by the work-product privilege, including, but not limited to, any record prepared by the Association's attorney or prepared at the Association's attorney's express direction which reflects a mental impression, conclusion, litigation strategy or legal theory of the attorney or the Association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.
- b. Information obtained by the Association in connection with the approval of the lease, sale, or other transfer of a parcel.
- c. Information an association obtains in a gated community in connection with guests' visits to parcel owners or community residents.
- d. Personnel records of Association or management company employees, including, but not limited to, disciplinary, payroll, health and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an Association or management company employee or budgetary or financial records that indicate the compensation paid to an Association or management company employee.
- e. Medical records of Members or community residents.
- f. Social security numbers, driver license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a Member other than as provided for Association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation, mailing address, and property address. Notwithstanding these restrictions, the Association may print and distribute to Members a directory containing the name, parcel address, and all telephone numbers of each Member. However, a Member may exclude his/her telephone numbers from the directory by so requesting in writing to the Association. The Association is not liable for the disclosure of information that is protected under section 720.303(5)(c)(5), Florida Statutes, as may be amended from time to time, if the information is included in an official record of the Association and is voluntarily provided by a Member and not requested by the Association.
- g. Any electronic security measure that is used by the Association to safeguard data, including passwords.

- h. The software and operating system used by the Association which allows the manipulation of data, even if the Member owns a copy of the same software used by the Association.
- i. All affirmative acknowledgments made pursuant to section 720.3085(3)(c)3, Florida Statutes.

11. **Improper Use of Association Official Records.** No Member or Member Representative shall share with or distribute to any non-Member any official record of the Association. For example purposes only, and without limitation, no Member or Member Representative shall publish or post, physically or electronically, any official record of the Association in such a manner as to be seen or read by non-Members, and no Member or Member Representative shall provide, physically or electronically, any official record of the Association to any non-Member. The foregoing shall be in addition to and in furtherance of the restrictions set forth in Article X, Section 20 of the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time.

WINDING RIDGE PROPERTY OWNERS ASSOCIATION, INC.

Fining and Suspension Procedures

In accordance with section 720.305, Florida Statutes, and Article X, Section 1 of the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration"), these Fining and Suspension Procedures (these "Procedures") were properly adopted by the Board of Directors (the "Board") of Winding Ridge Property Owners Association, Inc. (the "Association") on January 4, 2024, and shall govern the imposition of fines and use right suspensions for any non-monetary violation of the "Governing Documents" (as such term is defined in the Declaration).

1. **Definitions.** Unless otherwise defined herein, all initially capitalized terms shall have the same meaning as set forth in the Declaration.
2. **Sanction Review Committee.** The Board shall appoint at least three (3) Owners to serve as members of the Sanction Review Committee. The members of the Sanction Review Committee cannot be the following individuals: officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee of the Association. The Board reserves the right to remove and replace any member of the Sanction Review Committee. The Sanction Review Committee shall meet, as required, at a time and place determined by the Sanction Review Committee and in accordance with Article X, Section 1 of the Declaration and section 720.305(2), Florida Statutes. In order to conduct the business of the Sanction Review Committee, a quorum of at least a majority of the entire Sanction Review Committee must be present at a meeting of the Sanction Review Committee.
3. **Fine and Use Right Suspension Procedures:**
 - a. **First Notice Letter.** In the event a non-monetary violation of the Governing Documents occurs, the Board shall send a first notice advising the Owner that the Owner and/or the Owner's Occupant is in violation of the Governing Documents.
 - i. **Violation with Opportunity to Cure.** In the event the violation is a continuing violation which must be cured (such as, by way of example and not limitation, violations of the architectural guidelines or maintenance standards), the notice shall identify the violation and provide a date by which the violation must be cured (the "First Notice – Opportunity to Cure").
 - ii. **One-Time Violation – Warning Only.** In the event the violation is a one-time violation (such as, by way of example and not limitation, failing to bring in trash cans or parking violations), the notice shall identify the violation and advise the Owner that if another violation occurs, a fine and/or suspension of use rights and/or services may be imposed. (the "First Notice – Warning Only")

- iii. A sample First Notice – Opportunity to Cure and a sample First Notice – Warning Only are attached hereto and incorporated herein as Exhibit “A”.
- b. **Second Notice Letters.**
 - i. **Violation with Opportunity to Cure.** In the event the violation identified in the First Notice – Opportunity to Cure is not cured by the date provided in the First Notice – Opportunity to Cure, the Board shall send a second notice advising the Owner that the Owner and/or the Owner’s Occupant remains in violation and providing another date by which the violation must be cured before a fine will be levied. (the “Second Notice – Opportunity to Cure”)
 - ii. **One-Time Violation.** In the event an Owner and/or the Owner’s Occupant violates the Governing Documents in the same manner identified in the First Notice – Warning Only, the Board shall send a second notice advising that if another violation occurs a fine and/or suspension of use rights and/or services may be imposed. (the “Second Notice – Warning Only”)
 - iii. A sample Second Notice – Opportunity to Cure and a sample Second Notice – Warning Only are attached hereto and incorporated herein as Exhibit “B”.
- c. **Board Levy of the Fine and/or Suspension.** In the event the violation identified in the Second Notice – Opportunity to Cure is not cured by the date provided in the Second Notice – Opportunity to Cure and/or the violation identified in the Second Notice – Warning Only occurs again, the Board may levy a fine and/or suspension of use rights and/or services against the Owner and/or the Owner’s Occupant at a properly noticed Board meeting. The Board’s levy of a fine and/or suspension of use rights and/or services shall be in accordance with Article X, Section 1 of the Declaration. The Board’s levy of a fine may provide a starting date on which the fine is to be imposed upon confirmation of the Sanction Review Committee, which date cannot begin earlier than the date of the Board’s levy of the fine.
- d. **Notice of Levy to Owner.** After the Board’s levy of a fine and/or suspension of use rights and/or services, the Board must provide written notice of such levy (the “Notice of Levy”) to the Owner at the Owner’s address of record, as well as to any of the Owner’s Occupants, if applicable. The Notice of Levy shall provide the following: (i) a description of the violation and the specific action required to cure the violation (if applicable); (ii) that a fine in such amount as levied by the Board shall be imposed per day of the continuing violation until the violation is corrected and/or that a suspension of use rights and/or services will be imposed for a time period as levied by the Board upon approval of the fine and/or suspension of use rights and/or services by the Sanction Review Committee; and (iii) the date, time, and location of a hearing to be held by the Sanction Review Committee at least fourteen (14) days of the date of the Notice of Levy to either approve or reject the

fine and/or suspension of use rights and/or services. A sample Notice of Levy is attached hereto and incorporated herein as Exhibit "C".

- e. **Required Hearing.** A hearing shall be held during a meeting of the Sanction Review Committee at such date, time, and location provided in the Notice of Levy at which the Owner, and/or the Owner's Occupant, if applicable, will be provided with a reasonable opportunity to be heard. The Owner has the right to attend the hearing by telephone or other electronic means. The Sanction Review Committee shall review all fines and/or suspensions of use rights and/or services levied by the Board and decide, by majority vote of the entire Sanction Review Committee, to approve or reject the fine and/or suspension of use rights and/or services. If the Sanction Review Committee rejects the fine and/or suspension of use rights and/or services, the fine and/or suspension of use rights and/or services cannot be imposed. If the Sanction Review Committee takes any action other than approving or rejecting the fine and/or suspension of use rights and/or services, such action shall be deemed a rejection of the fine and/or suspension of use rights and/or services. The minutes of the meeting shall contain a written statement of the results of the hearing and whether the fine and/or suspension of use rights and/or services was approved or rejected. For additional clarity, this hearing is fully required and not optional in any way.
 - f. **Notice of Decision to Owner.** After the hearing, the Sanction Review Committee must provide written notice to the Owner, and/or the Owner's Occupants, if applicable, informing them of the Sanction Review Committee's findings related to the violation, including any applicable fines and/or suspensions of use rights and/or services that the Sanction Review Committee approved or rejected, and how the violation may be cured, if applicable (the "Notice of Decision"). If a fine is imposed, the Notice of Decision must provide that the fine must be paid within five (5) days of the date of providing the Notice of Decision. If a suspension of use rights and/or services is imposed, the Notice of Decision must provide the time period during which the suspension is effective. A sample Notice of Decision is attached hereto and incorporated as if fully set forth herein as Exhibit "D".
4. **Additional Enforcement.** Notwithstanding these Procedures, the Board may seek additional enforcement of the Governing Documents in any manner available to the Association.

EXHIBIT "A"

First Notice – Opportunity to Cure (Sample)

[Date]

[METHOD OF DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: FIRST NOTICE OF VIOLATION

Dear [Name]:

This First Notice of Violation is being provided to you pursuant to the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association"), adopted by the Association's Board of Directors in accordance with the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration").

It has come to the attention of the Association that [describe the violation]. Please be advised that the foregoing is a violation ("Violation") of [Section/Rule Number] of the [Declaration] [Association's rules and regulations].

Please [describe action necessary to remedy the violation] within ____ days of the date of this correspondence.

Your failure to comply with the "Governing Documents" (as such term is defined in the Declaration) may result in the levy of fines, the imposition of a suspension of use rights, the imposition of a suspension of services, the exercise of self-help, and/or the initiation of legal proceedings against you for damages, injunctive relief, or any combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Board of Directors
Winding Ridge Property Owners Association, Inc.

First Notice – Warning Only (Sample)

[Date]

[METHOD OF DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: FIRST NOTICE OF VIOLATION

Dear [Name]:

This First Notice of Violation is being provided to you in accordance with the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association"), adopted by the Association's Board of Directors in accordance with the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration").

It has come to the attention of the Association that [describe the violation]. Please be advised that the foregoing is a violation ("Violation") of [Section/Rule Number] of the [Declaration] [Association's rules and regulations].

Please be advised that a subsequent violation of the foregoing may result in the levy of fines, the imposition of a suspension of use rights, the imposition of a suspension of services, the exercise of self-help, and/or the initiation of legal proceedings against you for damages, injunctive relief, or any combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Board of Directors
Winding Ridge Property Owners Association, Inc.

EXHIBIT "B"

Second Notice – Opportunity to Cure (Sample)

[Date]

[METHOD OF DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: SECOND NOTICE OF VIOLATION

Dear [Name]:

This Second Notice of Violation is being provided to you in accordance with the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association"), adopted by the Association's Board of Directors in accordance with the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration").

On [date of First Notice], the Association sent you correspondence advising that [describe the violation]. Please be advised that the foregoing is a violation ("Violation") of [Section/Rule Number] of the [Declaration] [Association's rules and regulations]. The Association gave you _____ days to remedy the Violation, however, the Violation remains.

Please [describe action necessary to remedy the violation] within _____ days of the date of this correspondence.

This is your final warning.

Your continued failure to comply with the "Governing Documents" (as such term is defined in the Declaration) may result in the levy of fines, the imposition of a suspension of use rights, the imposition of a suspension of services, the exercise of self-help, and/or the initiation of legal proceedings against you for damages, injunctive relief, or any combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Board of Directors
Winding Ridge Property Owners Association, Inc.

Second Notice – Warning Only (Sample)

[Date]

[METHOD OF DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: SECOND NOTICE OF VIOLATION

Dear [Name]:

This Second Notice of Violation is being provided to you in accordance with the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association"), adopted by the Association's Board of Directors in accordance with the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration").

On [date of First Notice], the Association sent you correspondence advising that [describe the violation]. It has come to the attention of the Association that [describe the violation] has occurred again. Please be advised that the foregoing is a violation ("Violation") of [Section/Rule Number] of the [Declaration] [Association's rules and regulations].

This is your final warning.

Please be advised that a subsequent violation of the foregoing may result in the levy of fines, the imposition of a suspension of use rights, the imposition of a suspension of services, the exercise of self-help, and/or the initiation of legal proceedings against you for damages, injunctive relief, or any combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Board of Directors
Winding Ridge Property Owners Association, Inc.

EXHIBIT "C"

Notice of Levy (Sample)

[Date]

[METHOD OF DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: NOTICE OF LEVY

Dear [Name]:

This Notice of Levy is being provided to you in accordance with section 720.305(2), Florida Statutes; Article X, Section 1 of the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration"); and the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association").

Please be aware that [describe the violation] is a violation ("Violation") of [Section/Rule Number] of the [Declaration] [Association's rules and regulations]. You were provided with multiple opportunities to cure the Violation by [describe action necessary to remedy the violation]; however, you failed to do so.

Due to such Violation, on [date of Board meeting], the Association's Board of Directors (the "Board") held a properly noticed Board meeting at which the Board levied [a fine] [a suspension of use rights] [a suspension of services] against you for the Violation. [A fine in the amount of \$_____ per continuing day of the Violation] [A _____ day suspension of use rights] [A _____ day suspension of services] will be imposed, subject to the Association's Sanction Review Committee's approval of the [fine] [suspension of use rights] [suspension of services].

On [date at least fourteen (14) days of this Notice of Levy] at [time] at the [location], the Sanction Review Committee will meet for a hearing to either approve or reject the [fine] [suspension of use rights] [suspension of services] levied by the Board. During the hearing, you will be given a reasonable opportunity to be heard. If the Sanction Review Committee rejects the [fine] [suspension of use rights] [suspension of services], the [fine] [suspension of use rights] [suspension of services] will not be imposed. If the Sanction Review Committee approves the [fine] [suspension of use rights] [suspension of services], the [fine] [suspension of use rights] [suspension of services] will be imposed against you. After the hearing, you will be provided with written notice informing you of the Sanction Review Committee's findings related to the Violation, including any applicable fines and/or suspensions of use rights and/or services that the Sanction Review Committee approved or rejected.

Your continued failure to comply with the "Governing Documents" (as such term is defined in the Declaration) may result in the levy of fines, the imposition of a suspension of use rights, the imposition of a suspension of services, the exercise of self-help, and/or the initiation of legal proceedings against you for damages, injunctive relief, or any combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Board of Directors
Winding Ridge Property Owners Association, Inc.

EXHIBIT "D"

Notice of Decision (Sample)

[Date]

[MAIL] [HAND DELIVERY]

[Name]

[Address]

[City, State Zip]

RE: NOTICE OF DECISION

Dear [Name]:

This Notice of Decision is being provided to you in accordance with section 720.305(2), Florida Statutes; Article X, Section 1 of the Declaration of Covenants, Restrictions and Easements for Winding Ridge, recorded in the Official Records of Pasco County, Florida in Official Records Book 10127, Page 165, as amended from time to time (the "Declaration"); and the Fining and Suspension Procedures of Winding Ridge Property Owners Association, Inc. (the "Association").

The Association's Sanction Review Committee met on [date] at [time] at the [location] for the purpose of conducting a hearing regarding your violation of [Section/Rule Number] of the [Declaration] [Association's rules and regulations] as described in the Notice of Levy (dated [date of Notice of Levy]) and the [fine] [suspension of use rights] [suspension of services] that was levied upon you by the Association's Board of Directors.

The Sanction Review Committee [approves] [rejects] the [fine] [suspension of use rights] [suspension of services].

[To be used if the Sanction Review Committee approves the fine:] You have five (5) days from the date of the Association's mailing or hand delivery of this Notice of Decision to pay the fine in the amount of \$_____, as described in the Notice of Levy.

[To be used if the Sanction Review Committee approves the suspension:] [All of the rights to use the facilities of the "Association Property" (as such term is defined in the Declaration)] [A suspension of services, including, without limitation, cable service and internet service,] shall be immediately effective and shall be in full force and effect for _____ days of this Notice of Decision.

Please ensure that [describe action necessary to remedy the violation]. In the event of your continued violation, the Association will pursue its available legal remedies, including, without limitation, the initiation of legal proceedings against you for damages, injunctive relief, or any

combination thereof, in accordance with Article X, Section 1 of the Declaration and Chapter 720, Florida Statutes.

Sincerely,

Sanction Review Committee
Winding Ridge Property Owners Association, Inc.