

Charter Point Covenants & Restrictions Enforcement Process

The purpose of the Covenants of Charter Point is to ensure the maintenance of Lots to an aesthetically pleasing yet objective standard. When appropriately operated, covenant enforcement helps retain property values and creates a safe, pleasant community. Charter Point covenants explicitly state enforcement options (notification, request for corrective action, fines/liens, court action), but additional options are not precluded. Charter Point Community Association takes great care to resolve situations amicably and to avoid capricious or selective enforcement. Please refer to www.CharterPoint.org for details.

Effective January 2, 2017, Kingdom Management is assisting the Charter Point Community Association, Inc. with managing covenants and restrictions enforcement.

1. A violation may be determined by direct observation of Kingdom Management, by the Board, or by any owner. Kingdom Management acts* on the inspection or report based upon Charter Point Covenants and Restrictions (C&R) and Exterior or Landscape Standards enacted by the Board.
2. Kingdom Management will notify the homeowner of the violation in writing, citing the appropriate C&R reference and a corrective action deadline, relevant to the complexity of the breach, typically 21 days or much less for a quickly resolved issue.
3. Kingdom Management will follow up with a visual inspection of the property to determine compliance.
4. If the homeowner does not take corrective action or submit a corrective action plan by the deadline, Kingdom Management will send a Final Notice in writing. The letter will advise if the violation is not entirely corrected by 15 days from the date of this Final notice (but not sooner than the time from the first notification permitted by the Covenants), fines of \$25.00 per day will commence on that date, continuing for a maximum of thirty days or until the specific violation(s) are corrected:
5. In the event that compliance is not completed within the time frame specified above, the matter will be handled thereafter by referral to an attorney, for whose fees the homeowner shall become responsible.
6. If after the fines period, the homeowner continues to ignore the violation, Charter Point legal counsel will send a Demand for Fines Payment letter. If the homeowner responds by submitting a corrective plan or taking appropriate corrective action, the Board will consider rescinding or suspending the fines upon completion of an approved plan. The Board will continue to monitor the situation closely to assure corrective action takes place in a timely manner. Legal fees once incurred by the Board shall remain the obligation of the owner. The board has enacted and shall maintain a scale for evenly addressing the matter reduction of fines for the correction after fines have commenced.
7. If the owner continues to ignore the violation and fails to pay the levied fines, Charter Point legal counsel will be directed by the Board to file a lien against the property for the total accumulated fine, recording costs, and attorney fees.
8. If the violation continues to exist after the aforementioned steps have been exhausted, the Board will decide whether to file a lawsuit to reduce the lien to judgment or to foreclose when appropriate.
9. An owner who receives notice of a covenant's violation may contact a qualified ombudsman, designated by the Charter Point Community Association, to facilitate communication of a mutually agreed resolution.

Notes: Exterior improvement project application processing will continue to be channeled through the CPCA C&R committee. * Whenever an action is specified herein to be performed by Kingdom Management, that action may be performed by the Board through the President or the C&R Committee Chair, or by an appointed board member.

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