

MATTERS FOR BOARD OF DIRECTORS MEETING

June 28, 2017

**RESOLUTION RELATING TO
ESTOPPEL CERTIFICATES**

KINGSLAND COUNTRY PROPERTY OWNERS ASSOCIATION, INC.

Resolution No. 001-2017

RESOLUTION

THE BOARD OF DIRECTORS OF KINGSLAND COUNTRY PROPERTY OWNERS

ASSOCIATION, INC, DO HEREBY DESIRE TO CREATE AN ESTOPPEL FEE AND CERTIFICATE POLICY, AND DO ACT BY:

WHEREAS; the property within the Kingsland Country Property Owners Association, Inc. (KCPOA) is governed by certain Bylaws recorded in the Official Records of Marion County, Florida at OR Book/Page 6237/806-823, and Covenants and Restrictions recorded in the Official Records of Marion County, Florida at OR Book/Page 6377/203-260; and

WHEREAS; Article II, Section 5 of the Bylaws gives the Board of Directors the powers and duties necessary to conduct the affairs of KCPOA and to make reasonable rules and regulations as the directors deem in the best interest of KCPOA; and

WHEREAS; on August 30, 2016, the Board of Directors approved Resolution No. 005-2016 establishing certain estoppel certificate fees and policy; and

WHEREAS; the Board deems it necessary to modify Resolution No. 005-2016 pursuant to the estoppel fees set forth in HB 483/SB 398 (2017) and codified at Section 720.30851, Fla. Stat. (Supp. 2017); and

WHEREAS; the above resolution is now being placed before this Board at a regularly scheduled meeting;

IT IS HEREBY STATED:

- A. The 2017 Florida Legislature passed House Bill 483 / Senate Bill 398, effective date July 1, 2017, which legislation amends Section 720.30851, Fla. Stat. (2016) "Estoppel certificates";
- B. This written Resolution No. 001-2017 is herewith adopted by the Board of Directors pursuant to the mandate set forth in Subsection 720.30851(8), Fla. Stat., requiring that the authority to charge a fee for the preparation and delivery of an estoppel certificate must be established by a written resolution adopted by the Board; and
- C. Specifically, Subsection 720.30851, Fla. Stat. was amended, in 2017, in pertinent part, capping the fees that homeowners' associations can charge for estoppel certificates at \$250 for members who are current in their assessment. An additional \$100 can be charged for expedited estoppel certificates (delivered within 3 business days), and another \$150 can be charged for members who are delinquent in their assessments. Furthermore, estoppel certificates for multiple parcels owned by the same owner are computed in certain increments not to exceed statutory amounts.

NOW, THEREFORE, The Board of Directors hereby establishes and adopts the following Estoppel Fee and Estoppel Certificate Policy:

1. The fee for preparing estoppel certificates shall be \$250.00; and
2. The fee for preparing estoppel certificates that require responses within three (3) business days or less from the date of receipt shall be \$350.00; and
3. An additional \$150 shall be charged for preparing estoppel certificates for members who are delinquent in their assessments; and
4. The total fee allowed by law and this Resolution is \$500 for an expedited, delinquent estoppel certificate; and
5. If estoppel certificates for multiple parcels owned by the same owner are simultaneously requested and there are no past due monetary obligations owed to KCPOA, the statement of estoppel fees due for those parcels may be delivered in one or more estoppel certificate, and the total combined fee charged by KCPOA may not exceed:
 - a) For 25 or fewer parcels, \$750.
 - b) For 26 to 50 parcels, \$1,000.
 - c) For 51 to 100 parcels, \$1,500.
 - d) For more than 100 parcels, \$2,500.

KINGSLAND COUNTRY PROPERTY OWNERS ASSOCIATION, INC.

RESOLUTION ACTION RECORD

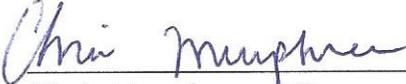
Resolution Type: Policy

No. 001-2017

Pertaining to: Estoppel Fees and Certificates

Duly adopted at a meeting of the Board of Directors held on: June 28, 2017

VOTE:

	YES	NO	ABSTAIN	ABSENT
 Robert Byers, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Chris Murphree, VP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Barbara Cizmar, Secretary

✓



Carmen Zuniga, Treasurer

Wayne Zimmer, Lighting Director

✓

Jan Breuninger, Director

✓



Phil Zuniga, Director

✓

Carlos Regueiro, Director

✓

Trina Sherrets, Director

✓