

BY-LAWS OF  
ESTATES OF FORT LAUDERDALE  
PROPERTY OWNERS ASSOCIATION, INC.

Section 1. Identification of Association

- 1.1 These are THE BY-LAWS of THE ESTATES OF FORT LAUDERDALE PROPERTY OWNERS ASSOCIATION, INC. hereinafter referred to as the “ASSOCIATION” as duly adopted by the Board of Directors of the Association. The Association is a corporation, not-for-profit, organized pursuant to and under Chapter 617 of the Florida statutes for the purpose, among other things, of administering, managing and operating a residential community known as THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK.
- 1.2 The offices of the Association shall be located at the following address: 2850 Southwest 54<sup>th</sup> Street, Fort Lauderdale, Florida 33312-6465.
- 1.3 The fiscal year of the Association shall be the calendar of the year.
- 1.4 The seal of the Association shall bear the name of the Association, “Florida”, and “Corporation not-for-profit.”

Section 2. Members’ Meetings, Voting, Proxies and Absentee Balloting.

- 2.1 The qualification of members, the manner of their admission to the membership in the Association, and the manner of the termination of such membership, shall be as set forth in Article IV of the Articles of Incorporation.
- 2.2 The members shall meet annually at the office of the Association or at such other place in Broward County, Florida, as determined by the board, and as designated in a notice of such meeting on such date and time in the month of January as determined by the Board of Directors. The annual meeting shall be for the purpose of electing directors to positions on the Board, to hear reports of the Officers and Committees, and to transact any business authorized to be transacted by the members of such annual meetings. The election will be held at or in conjunction with the annual meeting.

Members and parcel owners have the right to attend all membership meetings and to speak at any meeting with reference to all items opened for discussion or included in the agenda for 3 minutes during the meeting at a moment determined by the board.

Special meetings of the membership shall be held whenever called by the president, the vice-president of the association or a majority of the board or upon receipt of a written request of 10 % of the entire voting interest of the association. Business conducted at a special meeting is limited to the purposes described in the notice of the meeting.

- 2.3 A written notice of all meetings of members (whether the annual meeting or a special meeting of the members) shall be mailed or personally delivered or electronically transmitted(either by the President, Secretary or other officer or person calling the meeting) to each member entitled to vote at his last known address or e-mail address as it appears on the books of the Association, not less than fourteen (14) days nor more than thirty (30) days prior to the date of such meeting. Proof of such mailing or electronic mailing or personally delivered notice shall be given by the affidavit of the person who mailed or delivered such notice. The notice shall state the time and place of such meeting and the object of which the meeting is being called and shall be signed by an Officer of the Association. Any provision herein to the contrary notwithstanding notice of any meeting may be waived by any member before, during or after such meeting, which waiver shall be in writing and shall be deemed receipt of notice of such member of such meeting.
- 2.4 A member may join in the action of meetings of members by absentee ballot provided such ballot is filed with the Association, prior to the appointed time of the meeting. Matters approved by a majority of the members present at a meeting at which a quorum is present shall constitute the official acts of the members, except as otherwise specifically provided by law, the Articles, or elsewhere herein.
- 2.5 A quorum of the members at a meeting shall consist of persons entitled to cast twenty percent (20%) of the votes of the entire membership. For any meeting at which a vote of the membership will be cast on any issue requiring such a vote, a quorum of the membership shall be present.
- 2.6 The order of business at annual members' meetings and as far as practical at all other members' meetings, shall be:

- 2.6 A. Certification of roll and certification of proxies.
- 2.6 B. Proof of notice of meeting or waiver of notice.
- 2.6 C. Reading and disposal of any unapproved minutes.
- 2.6 D. Report of Officers.
- 2.6 E. Report of Committees.
- 2.6 F. Election of Directors.
- 2.6 G. Unfinished business.
- 2.6 H. New business.
- 2.6 I. Adjournment.

Further, the President shall preside as chairman of all meetings.

- 2.7 If at any meeting of the membership there shall be less than a quorum present, the majority of those present may adjourn the meeting from time to time until a quorum is present. ~~For subsequent meetings reconvened due to the absence of a quorum at the adjourned meeting, a quorum of the members at such subsequent meeting shall consist of the members present in person or by proxy at such meeting.~~ Any business which was to have been transacted at a meeting of the Members as originally called shall be transacted at any adjourned and reconvened meeting there-of. In case of the adjournment of a meeting, notice to the members of such adjournment shall be in such manner as determined by the Board of Directors  
Minutes of all meetings shall be kept in a business like manner and be available for inspection by members and directors at the office at all reasonable times .
- 2.8 Reserved
- 2.9 Voting rights of the members shall be as stated in the Articles of Incorporation.

Such votes may be cast in person, by absentee ballot or by proxy. Absentee ballots shall be signed by the member and shall be valid only for the particular meeting designed therein and any adjournment thereof as so stated.

Absentee ballots must be received and filed with the Secretary before the appointed time of the meeting in order to be effective.

No absentee ballot may be revoked unless it is received postmarked after the designated date as set by the board. Absentee ballots shall not be opened and counted until all votes are cast in person and counted. Proxies shall be used for the purpose of establishing a quorum and for such purpose as set forth thereon.

Proxies shall be in writing, ~~notarized~~ and shall be valid only for the particular meeting designated therein and any adjournment thereof as so stated. A proxy must be filed with the Secretary before the appointed time of the meeting in order to be effective. Any proxy may be revoked prior to the time the meeting begins. Adjournment of an annual or special meeting to a different date, time and place must be announced at that meeting before an adjournment is taken or pursuant to Florida Status 720.

### Section 3. Administration

- 3.1 The form of administration of the Association shall be by a Board of Directors. ~~The first board, as defined in Article VI of the Articles shall consist of no more than eleven (11) and no less than seven (7) Directors.~~ Each member of the Board of Directors shall be a member of the Corporation, and current in all assessments/fees imposed by the Association. If title to a lot is held by more than one individual, such lot may only have one owner designated as a “member” for purposes of qualifying for a position on the Board of Directors. Further, no Board member nor candidate for the Board of Directors may be an employee of or have a contractual business relationship with the Association. The board of directors consist of nine(9) directors.
- 3.2 Notice of the time and place of regular and special meetings of the board, or adjournments thereof, shall be given to each Director personally or by mail, telephone or ~~telegraph~~ electronic transmission at least three (3) days prior to the date of such meeting. Any provision herein to the contrary notwithstanding, notice of any meeting may be waived by any Director before, during or after such meeting, and such waiver shall be deemed receipt of notice by such Director of such meeting.
- Notice of all board meetings must be posted in a conspicuous place in the community at least 48 hours in advance of a meeting.
- 3.2A Members of the Board of Directors shall be elected by a majority of the votes cast at the annual meeting of the members of the Association or in conjunction with the annual meeting.
- The names of candidates from which members of the Board of Directors are elected shall be determined at the regular meeting of the Board held in December. At such meeting nominations for candidates to the Board of Directors shall be accepted by the Board. Nominations may be made by Board members, the members in attendance, or members who have submitted their own names, in writing, prior to such meeting.

The name of each member nominated as a candidate to the Board shall be accepted by the Board, unless such member is not qualified to serve on the Board for reasons otherwise set forth in the governing documents of the Association.

- 3.2B At the elections held in odd numbered years, there shall be four (4) openings for a two (2) year term. At the elections held in even numbered years, there shall be five (5) openings for a two-year term. Candidates receiving the highest number of votes in any year shall be elected for the two (2) year term. In the event there are any openings above four (4) or five (5) these directors shall be elected for a one (1) year term.
- 3.3 Vacancies in the Board shall be filled by the remaining directors, who shall appoint replacement directors at a Special or Regularly scheduled meeting of the Board. Said appointee shall serve out the unexpired term of the Director being replaced, effective immediately.
- 3.3A If a board member resigns other than for medical reasons he/she cannot be eligible to run for the Board of Directors for the period of two (2) years, effective immediately. If the reason is for medical purposes it shall be so stated in his/her resignation with a letter from the physician at the time of his/her resignation.
- 3.4 A Director elected by the P.O.A. members as provided herein may be removed from office in the manner set forth in the Florida Statutes. Every Board member is obligated to report reasons for missing a meeting to the office. If the majority of the Board feel a member of the Board is taking excessive leave from meetings, the board shall discuss the matter and decide on further action.

The organizational meeting of a newly elected board shall be held within 10 days of their election at such time and place as shall be fixed by the board of directors.

- 3.5 Directors shall serve without compensation. No Director shall be employed by the Association.
- 3.6 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 meetings of the Board may be called at the direction of the President or Vice President. Special meetings must be called by the Secretary at the written request of ~~one-third~~ a majority of Directors or upon receipt of a written request of 10% of the membership.

Regular meetings of the Board of Directors shall be held at the office of the Association or at such other place in Broward County, Florida, as determined by the Board, and as designated in a notice of such meeting for such dates and times in the months of November, December, and March as determined by the Board of Directors. The meeting scheduled in November shall be for informational purposes, to hear reports of the Officers, and to transact any business authorized to be transacted by the Board at such meetings. The meeting scheduled in December shall be for the purpose of receiving nominations for candidates for the Board of Directors, reviewing the budget and reserves, and transacting any business authorized to be transacted by the Board at such meetings, as well as transacting such other agenda items as determined by the Board of Directors. The meeting scheduled in March shall be for the purpose of reviewing the financial position of the Association, to hear reports of the Officers and Committees, and to transact any business authorized to be transacted by the members of such annual meeting.

- 3.7 Meetings of the Board shall be open to all members. Unless a member serves as a Director or unless he has been specifically invited by the Directors to participate in a meeting the member shall not be entitled to participate in any meeting of the Board but shall only be entitled to act as an observer. In the event that a member not serving as a Director or not otherwise invited by the Directors to participate in a meeting attempts to participate rather than observe at such meeting, or conducts himself in a manner detrimental to the carrying on of such meeting, then a Director may expel said member from the meeting by any reasonable means which may be necessary to accomplish such expulsion. Also, any Director shall have the right to exclude from any meeting of the Board any person who is not able to provide sufficient evidence that he is a member or that he was specifically invited by the Directors to participate in such meeting

#### Section 4. Powers and Duties of the Board of Directors

- 4.1 All of the powers and duties of the Association, including those under the Articles, shall be exercised by the Board unless specifically delegated therein to the members. Such powers and duties shall include but not be limited to the following:
- A) Making, establishing, amending and enforcing reasonable rules and regulations governing the portions of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK under the Association jurisdiction.
  - B) Maintaining, managing, administration and operating and repairing and replacing the improvements and personal property located therein.

- C) Construction and reconstructing improvements located in that portion of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK over which the Association may have jurisdiction in the event of casualty or other loss thereof and making further authorized improvements therein.
- D) Enforcing by legal means the provisions of the Articles, Rules and Regulations, BY-LAWS and the Declaration of Protective Covenants.
- E) Retaining independent contractors and professional personnel and entering into exterminating service, supply and management and contracts to provide for the administration, management, operation, repair and maintenance of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK over which the Association has jurisdiction.
- F) Hiring, setting and paying all salaries to such employees deemed necessary to carry out the services required by the Association. Any qualified person may be hired for any position available in The Estates of Ft. Lauderdale.
- G) Paying costs of all power, water, sewer, and other utility services rendered that portion of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK for which the Association has jurisdiction.
- H) Purchasing and carrying insurance for the protection of the Association against casualty and liability with respect to that portion of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK over which the Association has jurisdiction and with respect to corporate, director/officer and agents liability.
- I) Purchasing, and/or selling real or personal property with the exception of the common (recreational) areas presently owned by THE ESTATES OF FORT LAUDERDALE PROPERTY OWNERS ASSOCIATION, INC., which may not be sold without the approval of 75% of the total membership. Further, the Board of Directors shall have the power to execute any loan, mortgage, or financing arrangement relative to same.
- J) The Board of Directors shall have the authority to levy fines against the Owners of the lots and residents that reside in the Estates of Fort Lauderdale, that violate any Documents of the Association. Any fine which remains unpaid would be assessed against the lot, subject to a lien, and the Association could foreclose to collect the amount due.

- K) Members, their guest, renters or invitees who occupy a lot and (i) are delinquent ~~two three~~ months or more in maintenance or assessment payments to the Association including unpaid and/or (ii) have failed to pay an assessed a fine(s) shall be suspended from use of all common areas, except the Mail Room. ~~after notice and the opportunity for a hearing in the manner of the levy of fines.~~

## Section 5. Officers of the Association

- 5.1 The Offices of the Association shall be a President, one (1) or several Vice Presidents, all of whom shall be Directors, a Treasurer, a Secretary, and if the Board so determines, Assistant Treasurer and Assistant Secretaries, all of whom shall be elected annually by the Board. The President, first Vice President, Secretary, and Treasurer, who comprise the “executive board”, should be full time residents of the Estates of Fort Lauderdale community. If it is impossible to have four full time residents in the executive board, then any other Board members could fill the vacancie(s).

Any Officer may be removed without cause from office by a two-thirds vote of the Directors at any meeting of the entire board. The Board shall, from time to time, elect such other officers and assistant officer and designate their powers and duties as the Board shall determine to be necessary or appropriate for the management of the affairs of the Association.

The president shall be the Chief Executive officer of the Association. He shall have all of the powers and duties which are usually vested in the office of a President, including but not limited to the power to appoint such committees at such times from among the members as he may in his discretion determine appropriate to assist in the conduct of the affairs of the Association. The President shall preside at all meetings.

- 5.2 In the absence or disability of the President, the Vice President shall exercise the powers and perform the duties of the President. The Vice President shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the Board. In the event there shall be more than one (1) Vice President elected by the Board, then they shall be designated “First”, “Second”, etc., and shall exercise the powers and perform the duties of the Presidency in such order.



The treasurer shall have custody of all of the property of the Association, including funds, securities and evidences of indebtedness. He shall keep the assessment roll and accounts of the Members. He shall keep the books of the Association in accordance with good accounting practices; and he shall perform all of the duties incident to the office of the Treasurer. The Assistant Treasurer shall assist the Treasurer, and in the absence or disability of the Treasurer shall exercise the power and perform the duties of the Treasurer.

5.4 The Secretary shall keep the minutes of all meetings of the Board and of the Members, which minutes shall be kept in a business-like manner and shall be available for inspection at the office of the Association by Members and Directors at all reasonable times during regular office hours. The Secretary shall have custody of the seal of the Association and shall affix the same to instruments requiring such seal when duly authorized and directed by the Board to do so. He shall keep the records of the Association, except those of the Treasurer and perform all of the duties incident to the office of a Secretary. The Assistant Secretary, if any, shall assist the Secretary and in the absence or disability of the Secretary, shall exercise the power and perform the duties of the Secretary.

5.5 Reserved.

5.6 The Secretary shall have the primary responsibility for typing, preparing, mailing and/or delivering all correspondence, notices and other written documents generated by the Association. The Secretary shall report on all such activities at each Board Meeting. A copy of any correspondence, notice or other document generated by the Association shall be filed in the corporate records.

## Section 6. Accounting Records; Fiscal Management

6.1 The Board shall adopt a budget of the anticipated expenses of the Association for each forthcoming fiscal year at a special meeting of the Board (Budget Meeting) called for that purpose during the first two (2) weeks in November of each year commencing 1979.

Prior to the Budget Meeting, a proposed budget shall be prepared by or on behalf of the Board, which budget will include, but not be limited to, the following items of "Association Expenses", as defined in the Declaration for the Residential Property and Association Areas:

(I) Salaries, (II) Services, (III) Utilities, (IV) Administration of the Associations, (V) Supplies and Materials, (VI) Insurance, (VII) Security, (VIII) Repairs and Maintenance, (IX) Management Fees, (X) Taxes, (XI) Operating Capital, and (XII) Other Expenses.

~~Copies of the proposed budget shall be mailed to each Member at the Member's last known address as shown on the books and records of the Association within thirty (30) days after said Budget Meeting. Copies of the proposed budget shall be available in the office.~~

- 6.2 The Board may also include in any such proposed budget either annually or from time to time as the Board shall determine the same to be necessary, or subsequently vote to allocate, a sum of money for the making of betterments to the improvements and personal property of the Association or for the establishment of reserves for repair or replacement thereof. No Committee or Director or Officer of the Association or any individual shall be authorized to spend more than one thousand dollars (1000.00) on any individual purchase for any money for replacement or repairs without the approval of a majority of the Directors present at a meeting. For expenses of less than one thousand (1000.00)dollars they need only be approved by the park manager and one board member. Whenever possible, for expenses over one thousand(1000.00) dollars, three proposals should be obtained prior to a decision. This limitation shall not apply to sums necessary for normal maintenance and emergencies.

- 6.3 No Board shall be required to anticipate revenue from assessments or expend funds to pay for Association expenses not included in the budget or which exceed budgeted amounts, and no Board shall be required to engage in deficit spending. Should there exist any deficiency which results from there being greater Association expenses than income from assessments, then such deficits may be carried into the next succeeding year's budget as a deficiency. However, in case of emergencies beyond the Board's control, and not accounted for in the current budget, the Board can go to the membership and ask for additional revenue to cover such expense, if necessary.

- 6.4 The depository of the Association shall be such bank or banks as shall be designated from time to time by the Board in which the monies of the Association shall be deposited. Withdrawal of monies from such depository shall be only by checks signed by such persons as are authorized to the Board.
- 6.5 The Association shall use the cash or accrual method of accounting which shall conform to generally accepted accounting standards and principles, and the Association shall maintain accounting records in accordance with good and accepted accounting practices, which shall be open to inspection by members and their authorized representatives at reasonable times during regular office hours. Such authorization as a representative of a Member must be in writing and be signed by the member giving such authorization and dated within thirty (30) days of the date of any such inspection. Written summaries of the financial condition of the Association shall be supplied at least annually to the Members.
- 6.6 A financial statement of the accounts of the Association shall be made annually by a Certified Public Accountant designated by the Board, and a copy of such financial statement shall be made available to each Member not later than March 15 of the year following the year for which the financial statement is made.
- 6.7 With regard to fines after notice to the individual to be fined and the opportunity for a hearing before an enforcement/fining committee appointed by the Board of Directors, and in the manner required by Florida Statutes, all payments made on account shall be applied first to any fines outstanding, late charges, Attorney's fees and costs, and then to the oldest outstanding balance due for assessments, to the extent permitted by law.

#### ~~Section 7- Rules and Regulations~~

- ~~7.1 The Board may at any meeting of the Board adopt rules and regulations for the operations of THE ESTATES OF FORT LAUDERDALE MOBILE HOME PARK or amend or rescind any such existing rules and regulations, provided that such rules and regulations shall not be inconsistent with any of the terms or provisions of any of THE ESTATES OF FORT LAUDERDLAE Documents. Only the homeowner or a licensed real estate agent can rent any home in the community to another person. Homeowners are permitted to rent their residence in their absence. Such rental shall be allowed only one time a year from the date rental agreement is signed.~~

~~Renter cannot sublet the residence. Such renters must be registered in the office by owner or realtor at least one week before renters occupy residence. Copies of any rules and regulations as promulgated, amended or rescinded, shall be mailed to all Members at the last known address of the Members as shown on the books and records of the Association and shall not take effect until thirty (30) days after such mailing.~~

~~7.2 Each homesite upon which is an established mobile home, shall be occupied by single family residents only. Such family shall not have more than four persons residing at such home at any period of time, as per the original Covenants. Only homeowners, as a family unit shall have access to all the services of the Service and Recreation areas of the community at reasonable times. An I.D. card shall be required of any guest staying over three (3) days. Only the homeowner or a licensed real estate agent can rent any home in the community to another person. Homeowners are permitted to rent their residence in their absence to a person or persons of their choice. Such rental shall be allowed only one time during a year by a homeowner from the date the rental agreement is signed. Renters cannot sublet the residence. A rental committee shall screen/interview prospective rental/buyer and request their signature signifying that they have been informed and understand their obligations to uphold our Covenants, By Laws, Rules and Regulations. Such renters must be registered in the office by the homeowner at least one week before the renters take occupancy and the date of departure must also be registered. A \$25.00 fee shall be charged the homeowner for the renter's use of all the facilities with the exception of the Golf Course and Spa. Conduct of the renters shall be the responsibility of the homeowner during their stay. No owner will be permitted to rent or lease his/her mobile home for the first three (3) years of ownership.~~

~~7.2A The P.O.A. Office will accept only written and signed rental complaints upon which a certified letter shall be mailed to the alleged violator. Upon receipt of notice, the homeowner will have thirty (30) days to respond in writing or in person to the P.O.A. Office to correct the alleged violation. If after thirty (30) days it is not resolved a second certified letter will be mailed informing the homeowner of a \$100.00 first offence fine plus all legal fees which will be placed as a property lien if the homeowner does not respond in writing or in person to the P.O.A. Office within fifteen (15) days of receipt of this second notification. This same procedure shall be instituted for second offenses at an elevated fine of \$200.00 (per section 4.1J of these By Laws).~~

~~7.2B~~ also must notify office at time of departure.

~~A fee of \$100.00 is required for the first year of rental with no additional charge for same tenant who renew their lease for subsequent years. Any new tenant will be charged \$100.00. This charges gives the owner or realtor the rights to inform their tenants that these charges imposed are for the sole purpose of the use of all the facilities with the exception of the Golf Course, Spa, and Bowling Alleys, which will be permitted for renters at a minimum fee.~~

~~“Renters Conduct” shall be owners/realtors responsibility during their stay.~~

~~Homeowners and realtors are responsible for rental fees for each year as enacted by these By-Laws.~~

~~7.3 Only domesticated animals, such as cats, dogs, fish and birds will be permitted as pets with the Estates of Fort Lauderdale. The Association reserves the right to deny permission to any resident to maintain a pet because of size or character. (for example, German Shepherds, Great Danes, and Doberman Pinschers) and if any pet becomes a nuisance. No animal weighing more than twenty (20) pounds will be permitted on any Lot or on Association Property, and no more than two (2) pets are permitted in any home.~~

## Section 7. Parliamentary Rules

7.1 The latest edition of Robert’s Rules of Order shall govern the conduct of meetings of Members of the Association and of the Board, provided, however, if such rules and regulations are in conflict with the By-Laws, Articles, or Rules and Regulations, then the latter documents shall govern.

## Section 8. Amendment of By-Laws

8.1 ~~These By-Laws may be amended by two-thirds of the entire Board at a regular or special meeting of the Board Notice of the subject matter of the proposed amendment shall be set forth in the notice of the meeting at which such proposed amendment shall be considered.~~

The board of directors may adopt By-Laws for the management, regulation and control of the corporation, not inconsistent with these Articles of Incorporation or the law of the State of Florida. From time to time, By-laws may be adopted, altered, amended or rescinded by two-third (2/3) vote of the directors present and voting at a duly called and constituted meeting, provided that a copy of the proposed By-Laws has been given to each director with a notice of said meeting at least five (5) days prior to such meeting.

- 8.2 Any instrument amending these By-Laws shall identify the particular Section or Sections being amended and give the exact language of such amendment. A certified copy of such amendment shall be attached to any certified copy of these By-Laws and given to the Association Members at the Annual Meeting.

Revised December 2021



