



Adam R <adamr3009@gmail.com>

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## Formal Challenge to Unauthorized Fine Amounts Over \$100

3 messages

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**Adam Rachiele** <adamr3009@gmail.com>

Fri, May 9, 2025 at 10:03 PM

To: hoa@greenbriarvillageclub.com, manager@greenbriarvillageclub.com

Dear Board of Directors,

After reviewing both the Green Briar Village Club Rules and Regulations (2025) and the governing documents—including the Declaration of Covenants and the Amended and Restated Bylaws—I am formally challenging the HOA's authority to issue fines exceeding \$100 per violation, as currently listed in the Rules and Regulations.

According to Florida Statute § 720.305(2), an HOA may not impose fines exceeding \$100 per violation unless such authority is explicitly stated in the community's Declaration or Bylaws. After a full review of those documents, no such provision granting authority for fines above this legal threshold could be found.

As such, any fines currently being issued above \$100 per violation—including those for clubhouse damage, conduct, or rule infractions—are not enforceable under Florida law unless and until the governing documents are properly amended to authorize them.

I respectfully request that:

1. The HOA cease issuing or threatening fines above the statutory maximum unless authorized by a properly noticed amendment.
2. Any prior fines assessed over \$100 per incident be reviewed and reversed or refunded where applicable.
3. A written clarification be issued to the community to correct the discrepancy in the published Rules and Regulations.

Transparency and adherence to state law are in everyone's best interest. I appreciate your prompt attention to this matter and look forward to your response.

Thank you,  
Adam Rachiele

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**manager@greenbriarvillageclub.com** <manager@greenbriarvillageclub.com>

Thu, May 22, 2025 at 4:48 PM

To: Adam Rachiele <adamr3009@gmail.com>

Cc: hoa@greenbriarvillageclub.com

Adam,

We understand your concerns regarding the fines. Please note that, in addition to any applicable fines, the HOA charges for the actual cost of repairs related to damages. This practice is authorized under Florida law and falls within the HOA's governing authority.

Sincerely,

Lisa

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**Adam Rachiele** <adamr3009@gmail.com>

Thu, May 22, 2025 at 5:10 PM

To: manager@greenbriarvillageclub.com

Dear Lisa and Board Members,

Thank you for your response.

I've noticed that the **Green Briar Village Clubhouse Rules and Regulations (2025)** document appears to have been removed from the HOA website. Could you please confirm whether this was done in order to revise or correct the document? If so, I appreciate the board's willingness to review the issues raised.

Regarding your response about fines and damages, I'd like to clarify a few points:

- The Rules and Regulations document referenced **specific amounts up to \$500** under sections related to behavior and clubhouse use. Were those amounts listed intended as **fines, damage reimbursements**, or both?
- If the HOA is labeling these as **damages**, is the association capping damage claims at \$500 regardless of the actual repair cost? That could understate the cost in more serious incidents, which would be concerning for both enforcement and accountability.

My concern remains that the document treats these amounts as **predetermined fines**, rather than case-specific, itemized damage reimbursements, which would be handled differently under Florida Statutes. If they are indeed fines, they must comply with §720.305(2) unless the governing documents provide an exception—which, as I previously noted, I have not found.

Please clarify whether the \$500 figure represents a **fine cap, a damage cap**, or a **placeholder pending actual repair estimates**. Clear communication on this point will benefit both the board and residents moving forward.

Thank you again for your attention to this matter.

Sincerely,  
**Adam Rachiele**

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