

POLICY TITLE – BOUNDARY DISPUTE POLICY
POLICY SECTION - GOVERNANCE
POLICY NUMBER - 04
DATE OF ORIGIN – August 3, 2017
APPROVED BY - HMCI BOARD OF DIRECTORS - 11/1/2017
REVIEW/REVISION DATE

POLICY STATEMENT – The HMCI Board of Directors believes that a Boundary Dispute Policy is essential to expand on how boundary disputes will be determined if adjacent property owners cannot peacefully agree on their property lot line. Reference Master Form Proprietary Lease, Page 23.

PURPOSE – The purpose of the policy is to establish the property line between neighboring units, in the event of a dispute.

PRINCIPLES

1. All inquiries must be mailed via Certified to Holiday Manor, 1185 Henderson Creek Drive, Naples, FL 34114. If a request is not mailed Certified, the Board is not required to respond to the request.
2. Inquiries will only be considered if requested by adjacent property owners.
3. No more than two (2) neighboring units may be listed in the inquiry.
4. Measurements will be taken and documented for Board consideration.
5. Board shall determine the unit(s) boundary by a majority vote of a quorum of the Directors.
6. The final determination will be at a scheduled Board meeting.
7. In the case of an encroachment, if unit owner shows a conscious disregard of property rights, unit owner may receive demand to move or completely remove the items to comply with the property line.
8. If unit owner fails to comply, a fine may be issued.
9. The unit owner has the right to request Due Process via Certified inquiry, at any time before a determination is finalized.
10. All determination by the Board is final.
11. There is a five (5) year enforcement time period for all disputes.