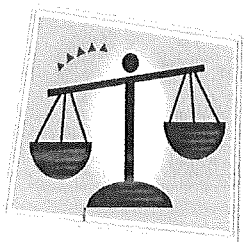
TOP 10 MISTAKES BOARDS MAKE AND HOW TO AVOID THEM

1. OPERATING LIKE A FIEFDOM

- Not Keeping all Board Members and Manager in the Loop
- Not communicating with Membership
- Selective Enforcement of Restrictions

2. FAILURE TO BE FAMILIAR WITH STATUTES AND GOVERNING DOCUMENTS

- Chapters 718, 719 and 720, Florida Statutes
  - Stay up to Date with Changes in the Law



- Governing Documents (Declaration, Articles, Bylaws, Rules & Regulations)
  - Applicability
  - Hierarchy
  - Review Every Few Years

3. MARKETABLE RECORD TITLE ACT – "MRTA" – HOA'S ONLY

- Chapter 712, Florida Statutes

4. ASSOCIATION RECORDS

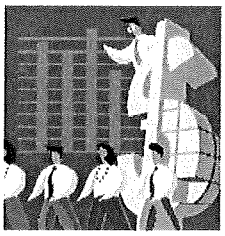
- Maintenance
- Owners' Right to Access

5. ENFORCEMENT OF DOCUMENT VIOLATIONS

- Paper, Paper, Paper
- Photos
- Live Witnesses
- Use of Governmental Agencies
- Self Help

6. MEETING MINUTES – THE DEVIL IS IN THE DETAILS

7. BEING PENNY WISE AND DOLLAR FOOLISH

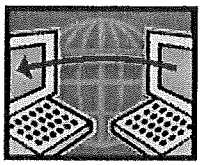


- Signing Contracts Without Legal Review
  - Background Searches (Licenses, BBB)
  - Confirmation that Contractor is Active Corporation, Insured
  - Remedies if Association is Dissatisfied (Damages, Ability to Cancel)
- Limiting Communication Between Managers and Legal Counsel
- Failure to Consult Experts Regarding Technical Requirements (i.e. Roofs, Seawalls, Elevators, etc.)
- Failure to Use Licensed, Insured Service Providers

8. FAILURE TO PROPERLY BUDGET

- Delinquencies
- Contingencies
- Reserves

9. LACK OF COMMUNICATION REGARDING DELINQUENCIES



- Report Receipt of Partial Payments
- Report Change of Occupancy

10. MAKING IT PERSONAL