

AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS, CHARGES, RESTRICTIONS AND
RESERVATIONS AFFECTING PROPERTY LOCATED IN
SPRING WOODS MOBILE HOME SUBDIVISION

The Declaration of Covenants, Conditions, Charges, Restrictions and Reservations Affecting Property Located in Spring Woods Mobile Home Subdivision (“Declaration”), originally recorded in Official Records Book 1649, Page 2159, et seq., in the Public Records of Lee County, Florida, as may have been subsequently amended, shall be amended as follows (otherwise, all provisions shall remain the same).

Note: Language to be added is underlined and language to be deleted is ~~struck through~~.

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ARTICLE 28 – BACKGROUND CHECK FOR OCCUPANTS

A new Article 28 shall be created as follows:

28. Background Check for Proposed Occupants. The Association shall have the authority to require a background check for all proposed occupants of a Lot. The actual cost of the background check shall be paid by the proposed occupant. Notice and Request for Approval of the proposed occupant(s) shall be provided to the Association by the current Lot Owner no less than 20 days prior to the proposed occupancy start date, sale date, or renewal date in writing using the form prepared by the Association for the purpose. This Article 28 shall not apply to existing occupants except that Article 28 shall apply to all proposed occupants on renewal of a lease (whether written or oral) and upon proposed sale of the Lot to an existing occupant.

(a) Board Right of Approval and Disapproval for Good Cause. The Board shall have the authority to approve or disapprove all proposed occupants of a Lot, as well as perform periodic reviews of occupants of any Lot as becomes necessary. Approval or disapproval of proposed occupants shall be in writing within 14 days of receipt of the written request on the Association’s form. This authority may be delegated by the Board of Directors to a committee or agent. The Association shall not assume any responsibility for disapproval of a proposed occupant if the disapproval is for good cause based on the following factors which shall constitute good cause:

(1) The person seeking approval (which shall hereinafter include all proposed occupants) has been convicted of, has pleaded no contest to, or is pending trial for charges that could amount to:

- i. A felony involving violence to persons, theft, arson, or destruction of property within the past twenty (20) years;
- ii. A felony demonstrating fraud or dishonesty within the past ten (10) years;
- iii. A felony involving illegal drugs within the past ten (10) years;
- iv. Any other felony in the past five (5) years; or

v. A felony involving sexual battery, sexual abuse, or lewd and lascivious behavior regardless of when that conviction occurred.

(2) The person seeking approval has been labeled a sexual offender or a sexual predator by any governmental or quasi-governmental agency regardless of when that conviction occurred or when that label occurred;

(3) The person seeking approval is currently on probation, community control, bonded, or pending trial on charges which, if convicted, would result in a violation of paragraphs 1 or 2 hereof;

(4) The person seeking approval has a history of disruptive behavior or disregard for the rights and property of others as evidenced by his or her conduct in other housing facilities or associations, or by his or her conduct in this community as a tenant, occupant, or guest.

(5) The person seeking approval has a record of financial irresponsibility, including without limitation, prior bankruptcies, foreclosures, or bad debts within the last five (5) years;

(6) The application for approval on its face, facts discovered in connection with the Association's investigation, or the conduct of the person, indicates that the person seeking approval intends to conduct himself or herself in a manner inconsistent with the Governing Documents;

(7) The person seeking approval has failed to provide the information, fees, or appearances required to process the application in a timely manner;

(8) All assessments, fines, and other Charges and monetary obligations against the Lot and/or the Owner have not been paid in full.