

Palm Beach County Condo Fines Owner For Speeding Guest? Understanding Your Rights Against Condo Association Authority

Posted by [Larry Mastropieri](#)

on Monday, November 11th, 2024 • 1:00pm

In Discover South Florida



THE MASTROPIERI GROUP

A physical therapist visited her patient at their Palm Beach County [condo](#). The Condo Authority photographed the therapist's license plate and billed the condo owner, claiming she drove 20 over the speed limit inside the community. When the condo owner contacted the complex asking how they could be responsible for their guest speeding, the complex claimed it was in the owner's original condominium paperwork they received 18 years ago. So the question hanging in the air is, can condo owners be legally held responsible for someone else's violation?



Living in a community governed by a condominium or homeowner's association (HOA) often means following a strict set of rules and guidelines. Many residents wonder, however, just how far a condo association's authority extends.

Understanding the Legal Grounds for Condo Fines

Under Florida state law (Section 718.303, Fla. Stat., known as the Condominium Act), owners, tenants, guests, and invitees must comply with an association's covenants and rules. This law gives condo associations the authority to levy fines for violations committed by guests. In practice, this means that if your visitor exceeds the community speed limit, you may be held responsible for their actions under the rules outlined in your condominium documents.

In cases like these, the governing documents for a condo typically specify that the owner is responsible for any violations committed by their guests or invitees. If the condo association follows the correct fining procedure, it has the legal standing to impose a fine on the owner, even if the violation was committed by someone else.

Did the Condo Follow the Required Procedure for Issuing the Fine?

For the fine to be legally enforceable, the association must follow specific statutory procedures. The board must:

1. **Levy the Fine in a Board Meeting:** The condo board must first decide to impose the fine at a properly noticed board meeting.
2. **Notify the Owner and Offer a Hearing:** The condo board must provide the owner (and potentially the guest) with at least 14 days' written notice of the fine and an opportunity for a



hearing before an independent grievance committee. This committee has the authority to approve or reject the fine.

If these procedural steps were not followed, the owner may have grounds to challenge the fine, as proper procedure is essential for upholding the association's authority.

What Options Do Owners Have if Fined for a Guest's Behavior?

If you, as a condo owner, receive a fine due to a guest's behavior, consider these options:

- **Review the Condo Documents:** Check your condominium documents to confirm whether they explicitly state that you are responsible for your guests' behavior. If the documents do not specify this responsibility, the fine may not be enforceable.
- **Challenge the Procedure:** If you believe the board did not follow the required procedure (for instance, they didn't offer you a hearing), you may be able to dispute the fine on procedural grounds.
- **Communicate with the Association:** Explain the situation and request leniency, especially if this is a first offense and your guest was unaware of the rules.

Legal support may also be helpful if the condo association's actions appear unjustified or if the process wasn't followed correctly.

Fining Process and Guest Violations in Palm Beach County, FL

Palm Beach County's condo and HOA communities operate under some of the state's strictest community governance rules. Many HOA and condo rules extend to guests, invitees, and service providers who visit residents, and fines are not uncommon for violations such as parking infractions, noise disturbances, or speeding. [Real estate](#) owners in Palm Beach County should be aware of these possibilities when reviewing association documents before purchasing a property.



Other Common Condo and HOA Violations in Palm Beach County: Issues Beyond Speeding Guests

Apart from fines related to guests' behavior, condo associations often manage other issues, such as ownership changes, tax delinquencies, and property maintenance violations. Here's a look at additional questions that frequently arise:

1. **Association Authority Over Tax Delinquency:** When a property owner falls behind on taxes or association fees, the association may take action if association fees are unpaid. If county property taxes are delinquent, however, this is not under the association's authority—the county will place a tax lien on the property and may ultimately foreclose if taxes remain unpaid. This is an essential distinction for any Palm Beach County condo owner facing financial hardship.

2. **Selective Enforcement of Rules:** Selective enforcement is another common issue where an association targets one owner for a rule violation while ignoring similar issues with other owners. For example, a resident in a Palm Beach County community may be penalized for having decorative lights deemed “out of compliance,” even if similar lights exist on other properties. In these cases, the concept of “selective enforcement” can provide a legal defense, but it must be raised only if the association formally takes action against the owner.



How to Handle Fines and Disputes With Your Condo Association

Navigating fines and disputes with a condo association can be challenging, but several strategies can help:

- **Seek Legal Guidance:** A [real estate](#) attorney specializing in HOA disputes can advise on whether the condo association followed proper procedures and if your governing documents support the fine.
- **Request a Demand Letter:** If selective enforcement appears to be in play, a lawyer can issue a demand letter on your behalf, requesting fair treatment or the dismissal of the fine.
- **Attend Meetings and Request Documentation:** Attend board meetings and request documentation regarding fines or violations. Transparency can help you understand the process and assess whether the association acted within its rights.

Protecting Your Rights as a Condo Owner in Palm Beach County

Whether you’re facing a fine for a speeding guest, dealing with selective enforcement, or responding to a violation notice for something like landscaping choices, it’s crucial to understand your rights as a property owner. [Palm Beach County real estate agents](#) often recommend carefully reviewing association documents before purchasing a condo or HOA-governed property to ensure that owners are prepared for potential rules and enforcement measures.

Many condo owners in Palm Beach County and [surrounding areas](#) face similar questions. Being aware of state laws, association bylaws, and available defenses (such as selective enforcement) can protect your rights and ensure a fair process. While associations have authority over certain aspects, owners can take proactive steps to challenge fines if the association oversteps its boundaries.

Contact The Mastropieri Group for Palm Beach County Real Estate Guidance

If you have questions about buying or managing real estate in a condo or HOA-governed community, contact [The Mastropieri Group](#) at (561) 544-7000. With extensive knowledge of [South Florida real estate](#), The Mastropieri Group can guide you in navigating condo association rules and help you find the best property for your needs.