

**PUNTA RASSA CONDOMINIUM ASSOCIATION, INC.**

**BOARD RESOLUTION REGARDING USE OF ELECTRONIC NOTICE FOR  
ASSOCIATION MEETINGS**

WHEREAS, Section 718.112(2)(d)6 of the Florida Statutes provides:

... Notice of meetings of the board of administration; unit owner meetings, except unit owner meetings called to recall board members under paragraph (1); and committee meetings may be given by electronic transmission to unit owners who consent to receive notice by electronic transmission. A unit owner who consents to receiving notices by electronic transmission is solely responsible for removing or bypassing filters that block receipt of mass e-mails sent to members on behalf of the association in the course of giving electronic notices.

WHEREAS, Rule 61B-23.0029 of the Florida Administrative Code provides:

(1) Definitions. "Electronic transmission" means any form of communication, not directly involving the physical transmission or transfer of paper, that creates a record that may be retained, retrieved, and reviewed by the recipient and that may be directly reproduced in a comprehensible and legible paper form by the recipient through an automated process such as a printer or a copy machine. Examples of electronic transmission include, but are not limited to, telegrams, facsimile transmission of images, and text that is sent via electronic mail between computers. Electronic transmission does not include oral communication by telephone.

(2) Association Notices.

(a) Associations may opt to deliver meeting notices by electronic transmission by following these rules or by adopting bylaws that are consistent with these requirements.

(b) Associations that decide to stop delivery of notices by electronic transmission shall notify all owners by electronic transmission of the date on which electronic transmission of notices will cease. Associations must mail the notice to those owners whose consent has been revoked or was never given.

(3)(a) Consent and Revocation of Consent. In order to be effective, any consent given by a unit owner to receive notices via electronic transmission, and any revocation of consent, must be in writing and must be signed by the owner of record or by a person holding a power of attorney executed by the owner of record. Consent or revocation of consent may be delivered to the association via electronic transmission, by hand-delivery, by United States mail, by certified United States mail, or by other commercial delivery service. The unit owner bears the risk of ensuring delivery.

(b) Delivery of Consent or Revocation of Consent. Any consent given by a unit owner to receive notices via electronic transmission must be actually received by

a current officer, board member, or manager of the association, or by the association's registered agent. Unless otherwise agreed to by an association in advance of delivery of any consent or revocation of consent, delivery to an attorney who has represented the association in other legal matters will not be effective unless that attorney is also a board member, officer, or registered agent of the association.

(c) Automatic Revocation of Consent. Consent shall be automatically revoked if the association is unsuccessful in providing notice via electronic transmission for two consecutive transmissions to an owner, if and when the association becomes aware of such electronic failures.

(4) Attachments and Other Information. In order to be effective notice, notice of a meeting delivered via electronic transmission must contain all attachments and information required by law. For example, but not by way of limitation, the second notice of election provided by section 718.112(2)(d)3., F.S., must contain a second notice of the election along with the ballot and any valid candidate information sheets that are timely received. As a further example, electronic transmission of the budget meeting shall only be effective if a copy of the proposed annual budget accompanies the notice of budget meeting.

(5) Effect of Sending Electronic Meeting Notice. Notice of a meeting is effective when sent by the association, regardless of when the notice is actually received by the owner, if directed to the correct address, location or number, or if posted on a web site or internet location to which the owner has consented. The owner, by consenting to notice via electronic transmission, accepts the risk of not receiving electronic notice, except as provided in paragraph (2)(c) of this rule, so long as the association correctly directed the transmission to the address, number, or location provided by the owner. An affidavit of the secretary or other authorized agent of the association filed among the official records of the association that the notice has been duly provided via electronic transmission is verification that valid electronic transmission of the notice has occurred. An association may elect to provide, but is not required to provide, notice of meetings via non-electronic transmission even if notice has been sent to the same owner or owners via electronic transmission.

(6) Official Records. The association shall maintain among its official records, which shall be accessible to the owners or their duly authorized representatives, all consent forms including electronic numbers, addresses and locations, all affidavits, all fax receipts of notice and related communications, copies of all electronic notices and attachments sent by the association, and any other record created or received by the association related to the electronic transmission of meeting notices, except as provided in section 718.111(12)(a)7., F.S. Electronic records may be maintained in electronic or paper format, but must be available for inspection and copying upon unit owner request.

WHEREAS, the Board of Directors has determined it to be in the best interest of the Association to permit the use of electronic notice for Association meetings.

NOW, THEREFORE, BE IT RESOLVED as follows:

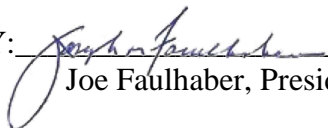
1. The Association shall permit Unit Owners who desire to do so to utilize electronic notice in conformance with the above-quoted statute and administrative rules, as amended from time to time.
2. The Board may determine in the future that utilizing electronic notice is not in the best interest of the Association and may discontinue doing so by proper motion or resolution and required notice to Owners.
3. The Association hereby adopts the following forms which are incorporated into this Resolution by reference:
  - Attached as **Exhibit "A"** is the "Consent to Receive Electronic Notice of Meetings," and
  - Attached as **Exhibit "B"** is the "Revocation of Consent to Receive Electronic Notice."

The attached forms should be signed by all record Owners of the Unit. If at least one record Owner signs the form, the Association may, but shall not be obligated to, recognize the authority of that Unit Owner to consent to receipt of official Association notices by electronic transmission.

Unless prohibited by law, an e-mail notification with electronic signature from a Unit Owner to the Association may be used in lieu of a signed consent or revocation form, in which case the terms of the attached consent and revocation forms are incorporated by reference and shall be deemed affirmed by the Unit Owner when consent is given or revoked by e-mail.

This Resolution was adopted by the Board of Directors on the \_\_\_\_ day of \_\_\_\_\_ 2026, and is effective upon adoption. There are \_\_\_\_\_ total Board members. The number of Board members who voted in favor of this Resolution is \_\_\_\_\_. The number of Board members who voted against this Resolution is \_\_\_\_\_. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

PUNTA RASSA CONDOMINIUM  
ASSOCIATION, INC.

BY:  \_\_\_\_\_  
Joe Faulhaber, President

Date: 03-26-2026

(CORPORATE SEAL)

**CONSENT TO RECEIVE ELECTRONIC NOTICE OF MEETINGS**

The undersigned, being all the Owners or an eligible voter of Unit No./Address \_\_\_\_\_, at **Punta Rassa Condominium, Phase \_\_\_\_\_**, pursuant to Florida Statutes, hereby consent in writing to receiving notice by electronic transmission for certain meetings of the Board of Directors, Committees, and Annual and Special Meetings of the Members of **Punta Rassa Condominium Association, Inc.** to the fullest extent permitted by law. I/We designate the following email address for electronic notice purposes:

\_\_\_\_\_.

The undersigned understands that mailed/paper notice may not be provided to the Unit Owners unless the Unit Owners have rescinded their consent to receive electronic notice of meetings. **Please be aware that if you consent to receive electronic notice of meetings, your e-mail address designated for that purpose will be an official record of the Association.**

All Owners of the Unit or Eligible Voter Please Print Name, Affix Date and Sign Below:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**REVOCAION OF CONSENT TO RECEIVE ELECTRONIC NOTICE**

The undersigned, being all the Owners or an eligible voter of Unit No./Address \_\_\_\_\_, at **Punta Rassa Condominium, Phase \_\_\_\_\_**, have previously consented in writing to receiving electronic notice of meetings/elections for **Punta Rassa Condominium Association, Inc.**, as permitted by law and duly filed with the Association. I/We  **do**  **do not** (if left blank, “do not” will be presumed) request that my/our e-mail address be removed from the official records of the Association which are open to inspection by other Unit Owners as provided by law.

The undersigned hereby revokes that consent and requests that all future notices be sent in paper format. Furthermore, the undersigned understands and agrees that this form must be signed and on file with the Association no later than seventy-two (72) hours prior to the Association sending notice of a meeting or election in which the Unit Owner wishes to revoke consent to electronic notice or the revocation will not be effective until the next meeting and/or election.

All Owners of the Unit or Eligible Voter Please Print Name, Affix Date and Sign Below:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_