

BYLAWS

ARTICLE SEVEN – Structural Transformation and Construction - Common Property may not be modified in any form, shape, wall texture, reconfiguration of outside walls or use in anyway. No Common Area, reconfiguration or change of use will be done unless it is approved by majority vote at an Extraordinary Assembly in which at least 75% of the undivided interest is present.

Subdivision of condos into multiple units is strictly prohibited. Accordingly, any plans submitted that appear to include, or allow for, a subdivision will not be approved.

All construction, renovations, alterations, reconfigurations, or modifications to a Unit which are done at any time are subject to the prior authorization of the Architectural Committee, VC and Administration, in each instance based upon the Architectural Guidelines, which are a part of the Operative Regulations (Exhibit A). As part of the Operative Regulations, an Extraordinary Assembly is not required for modification of the Architectural Guidelines. All Architectural Committee, VC and Administration approvals, as well as all applicable governmental permits must be approved prior to initiating work of any kind. Failure to do so, will result in penalties to be established by the Administrator and VC in accordance with these Bylaws and the Law. Unit owners are advised to submit all plans to the Architectural Committee well in advance of the intended commencement of any work, in order for proper and timely review and discussion, as necessary, of the project plans. This requirement does not apply to repairs that are required as a result of an unforeseen emergency, such as water leaks, blocked plumbing, electrical failures, and the like, but Unit owners must notify the VC and Administration as promptly as possible of the emergency and the repairs that are intended. The VC and Administration reserves the right to review all emergency repair plans and to require that they be done in accordance with the Architectural Guidelines.

The VC will appoint 3 members from those who volunteer to form the Architectural Committee. Members of the VC cannot serve on the committee.

[As amended November 14, 2025]

OPERATIVE REGULATIONS

1.0 Architectural Control Committee

The El Cantil HOA has instituted an Architectural Control Committee (ACC) as allowed by the El Cantil Regime Bylaws document Article Sixty-Four for the building. The ACC's objective is to oversee, monitor, and approve owners' requests for construction and major structural remodeling changes to their unit, and to ensure that the requested changes follow the guidelines set forth concerning appearances to the common areas, structural modifications, or unsafe designs from being incorporated into El Cantil Condominiums. The committee is to ensure that architectural changes fall within the overall continuity of El Cantil rules and policies. Additional responsibilities may include, but are not limited to, redesigning aspects of El Cantil South and El Cantil North. Due to use and age of the building it will be necessary to reconstruct parts of the building and or common area. The ACC may be asked to make suggestions, from time to time, and design changes that coincide with the integrity of the building allowing for physical alterations, upkeep and maintenance to be performed.

El Cantil rules and policies must be adhered to; these have preference over any changes that may be made to a unit or to the building. This applies to an owner as well as to the HOA.

An owner is responsible for reading, understanding and being aware of the regulations governing construction and remodeling before any attempt is made to modify their unit.

An owner requesting a structural change or major modification to any portion of his unit must denote in writing exactly what the changes are with drawings and specifications, including any electrical and plumbing alterations that are to be made. There is not to be any encroachment on another owner's unit or common areas. Most important, a load bearing wall cannot be removed or penetrated with through-holes, including floors and ceilings, without approval from the ACC & VC. The ACC / VC will determine if a structural analysis is required to approve the request for penetrating a load bearing wall. Special concern is for the balconies as sealing and coatings should be thoroughly assessed because of drainage and overhang weight.

The Architectural Committee is to perform a review and verify that any changes submitted fall within the guidelines of El Cantil's scope for safety and appearance. Owners must allow the ACC (or designated representative) to inspect their unit before, during and after work has been completed.

When an owner or the HOA submits a proposal for physical alterations to El Cantil, it is to be directed to the Architectural Committee, for the committee's review, using the proper form with copies of the intended project forwarded to the Administrator.

The home owner is to be informed within 30 days of the application form submittal of the committee's decision on the application. If rejected, the application must be re-submitted addressing the issues as noted by the ACC. When a final agreement is reached, this proposal is to be signed by the ACC and a VC officer. The El Cantil Administrator will be informed that the application has been approved, and it will then be the responsibility of the owner to coordinate the project with the Administrator. The Administrator is to be informed when the project is completed and make a final inspection of this project to confirm that the intended specifications were met as specified before it is closed out and address any discrepancies or cost that the HOA incurred to be billed to the owner.

2.0 Construction/Remodeling Guidelines

Application forms for renovations can be obtained from the Administrator, VC, ACC member or on the El Cantil homeowners' website.. A copy is also provided with this document for your reference.

The entire El Cantil community takes great pride in the appearance of our building. Contractors and movers have a tendency to be focused on getting their works done, and the integrity of the building is not always their highest concern. The limited El Cantil staff is not adequate to provide supervision necessary to ensure that all contractors perform their work in a responsible manner and adhere to the guidelines as set forth in the rules and regulations. The cost of cleaning up after the contractor is the responsibility of the owner and is not to be borne by the HOA.

For these reasons, it is necessary for each owner to accept complete responsibility for all contractors employed to perform work on their unit. This includes on-site supervision to ensure that all activities are carried out in a responsible manner and in accordance with the following policies:

1. As previously stated, major modifications to the interiors of any unit must obtain approval before commencement of work. Examples of construction or major modifications are listed below. This list is not meant to be 100% inclusive but to represent the most common activities that would require an ACC approval. If work is deemed by the owner to be minor and not requiring ACC approval and is subsequently determined by the ACC to be major in scope and therefore requiring an application and approval, then a penalty will be assessed to the owner by the HOA as per Article 65 of the El Cantil Regime Regulations.
 - a. Relocating or adding additional walls or doors to a unit.

- b. Relocating a bathroom or the plumbing associated with it.
 - c. Relocating a kitchen or the plumbing associated with it.
 - d. Replacing tiles in a unit. Only required to coordinate with the administrator for noise and construction times.
 - e. Replacing outside doors, windows or hurricane shutters. Required to make sure the selected replacement hardware matches the overall look of the building and meets the minimum requirements for doors, windows and shutters as set by the HOA.
- 2. To ensure coordination with other work programs, all construction schedules for work to be done must be submitted to the Administrator on a weekly basis.
- 3. The owner is responsible for supervising the entire construction process. All deliveries of materials must be scheduled ahead of time for reserving the elevator. Scheduling must be done in advance by coordinating with the Administrator.
- 4. It is the responsibility of the owner to ensure protective materials cover all common areas which can be damaged or soiled by workers. The protective covering must be removed and properly stored or disposed of at the end of each day.
- 5. It is the responsibility of the owner who has hired the contractor and having the work done to see that all common areas are returned to their original condition of cleanliness at the end of construction and no later than the end of each day. This includes sheetrock dust and other construction debris. If it is necessary for building personnel to clean up after construction, it will be done at the expense of the owner.
- 6. The rules and guidelines are for the owners and the HOA to follow.
- 7. To change or modify a unit requires:
 - a. An application form
 - b. Drawing(s) of intended changes including similar pictures, materials samples, etc.
 - i. Electrical
 - ii. Plumbing specifications
 - iii. Major Interior renovations description and specification
 - iv. Etc.
- 8. Load bearing walls, floors, and ceilings cannot be penetrated or removed without prior approval from the ACC / VC verifying that the structural integrity of the building is not compromised. Cutting into the floor and ceiling (floor of unit above) is prohibited without licensed engineer and architectural drawings.
- 9. The VC has the final approval and must provide this approval to begin work. Weekly inspections may be made by a member of the ACC, VC or the Administrator.

10. In the event an owner or owner's contractor causes damage to the HOA common area, the subject home owner will have his HOA account charged for the repairs and clean-up if not corrected when notified.
11. All construction debris to be taken out of the building by owner or owners contractor and not disposed of in El Cantil's dumpsters which are not intended for construction debris.
12. If an owner or anyone hired by them, directly or indirectly, causes a labor lawsuit that costs the HOA legal fees, fines or any other expenses, then the owner is responsible for uninsured or under-insured contractors and/or employees and will be billed for any expenses incurred by the Regime. All owners are advised to obtain liability insurance from their contractor whenever possible. If the owner's preferred contractor does not have liability insurance then the owner is responsible for all expenses incurred.
13. Contractors and their workers must use the designated elevator; do not overload elevator, 3000 lb. maximum.