

**Violation Enforcement Resolution for the  
Castlewood Homeowners' Association, Inc.**

STATE OF TEXAS                   §  
   §  
COUNTY OF Denton           §

Pursuant to the Bylaws of the Castlewood Homeowners' Association, Inc. (referred to as "Association") and the Declaration of Protective Covenants, the Directors of the Castlewood Homeowners' Association, Inc., a Texas non-profit corporation, consent to the adoption of the following resolution:

RE:                   Violation Enforcement Policy

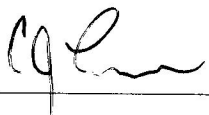
WHEREAS:

1. The Board of Directors is empowered to enforce the covenants, conditions and restrictions of the Covenants, Bylaws and any rules and regulations of the Association.
2. It is the Board's duty to use its best efforts to assure that said enforcement occurs

BE RESOLVED THAT:

1. The Board of Directors hereby adopts this Violation Enforcement Policy to establish equitable policies for the Association in compliance with the Chapter 209 of the Texas Property Code, titled the "Texas Residential Property Owners Protection Act," as it may be amended (the "Act"). To the extent any provision within this policy is in conflict the Act or any other applicable law, such provision shall be modified to comply with the applicable law.
2. All rules of the Association shall be enforced
3. The Violation Schedule (attached) shall be the Association's policy of enforcement.

EFFECTIVE: 9/1/2017

  
\_\_\_\_\_  
Authorized Board Member

9/7/17  
\_\_\_\_\_  
Date

<b>Violation Procedure</b>	<b>Status</b>	<b>Action Required</b>
1 <sup>st</sup> Notice: Courtesy Notice (regular mail)	1 <sup>st</sup> Report/Sighting	10 days to correct
2 <sup>nd</sup> Notice: Send 10-day notice of the violation (via certified mail) indicating the intent to send a contractor to resolve the violation if not resolved within 10 days.	2 <sup>nd</sup> Report/Sighting	10 days to correct
Schedule Maintenance with contractor with the costs associated with resolving violation to be charged to the owner.	3 <sup>rd</sup> Report/Sighting	Contractor to cure violation.

### **General Policy**

If a homeowner contact management with the intent to correct a violation and asks for an extension, management shall grant such extension if it deems the extension reasonable. If the homeowner does not cure the violation after the extension period, the homeowner will be immediately referred to the attorney, or the process will be resumed at the last level of the process.

### **Attorney Procedure**

It is the option of the Board of Directors to decide when and if an account goes to the attorney. The decision to escalate an account to the attorney may be based on violation severity, prior violation history, or other factors that may influence the Board's decision. Once an account is turned over to the attorney's office, the attorney will send the homeowner a letter of representation and a demand for compliance with the Association's governing documents. If the homeowner does not respond, the attorney will pursue all available action to cure the violation through the court/legal system. If allowable by law and the Association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the collection policy. If the amount due is not paid the attorney shall file a notice of lien.

### **Forced Maintenance Procedure**

In the event of the failure of owner to comply with the above requirements after ten (10) days written notice thereof, the Association or their designated agents may, in addition to any and all remedies, without liability to the owner, builder, or any occupants of the lot in trespass or otherwise, enter upon (and / or authorize one or more others to enter upon) said lot to cut, or cause to be cut, such weeds and grass and remove, or cause to be removed, such garbage, trash, and rubbish, or do any other thing necessary to secure compliance with this declaration, so as to place said lot in a neat, attractive, healthful, and sanitary condition, and may charge the owner, builder, or occupant of such lot for the cost of such work and associated materials plus a fee of ten (10%) percent. Payment thereof shall be collected as an additional maintenance charge and shall be payable on the first day of the next calendar month.

In the event the owner of any building in the subdivision should allow such building to fall into disrepair and become in need of paint, repair, or restoration of any nature and become unattractive and not in keeping with the neighborhood, the Association will give such owner written notice of such condition. Ten (10) days after notice of such condition, the Association in addition to any and all remedies, either at law or in equity, available for the enforcement of these restrictions, may at its sole discretion, enter upon said premises, without liability to owner, to do or cause to be done, any work necessary to correct said situation. The owner thereof shall be billed for cost of necessary repairs, plus ten (10%) percent. All monies so owned shall be an additional maintenance charge and be payable on the first day of the next calendar month.

### **Other**

This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.



## Violation Schedule for the Castlewood Homeowners' Association, Inc.

Violation Procedure	Status	Action Required
1st notice: Courtesy Notice (regular mail)	1st Reporting/Sighting	10 days to correct
Subsequent Notice for Continued Violation (regular and certified mail)	Non-compliance & No applicatoin for extention	10 days to correct then \$10 fine per day that violation is not cured
Subsequent Notice for Continued Violation (regular and certified mail)	Non-compliance & No applicatoin for extention	10 days to correct then \$10 fine per day that violation is not cured
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Subsequent Notice for Continued Violation (regular and certified mail)	Non-compliance & No applicatoin for extention	10 days to correct then \$10 fine per day that violation is not cured
Final Notice: Final notice per section 209.006 of the Texas Property Code (sent via certified mail)	Non-compliance & No applicatoin for extention	10 days to correct then \$10 fine per day that violation is not cured.
The Board of Directors may authorize the account to be forwarded to the attorney.	Non-compliance & No applicatoin for extention	Attorney will work with owner to correct the violation.

### General Policy


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### Attorney Procedure

It is the option of the Board to decide when and if an account goes to the attorney. The decision to escalate an account to the attorney may be based on violation severity, prior violation history or other factors that may influence the Board of Director's decision. Once an account is turned over to the attorney's office the attorney will send the homeowner a letter of representation and a demand for compliance with the association's governing documents. If the homeowner does not respond the attorney shall pursue all available action to cure the violation through the court/legal system. If allowable by law and the association's Declaration of Covenants, all attorneys' fees/court costs shall be the homeowner's responsibility and shall be charged to the homeowners account and the money due shall be subject to the collection policy. If the amount due is not paid the attorney shall file a notice of lean.

**Other:** This policy may be amended and/or adjusted by the Board of Directors from time to time without notice. Homeowners are advised that they should contact the management company to request the most recent version of this policy if they have a question and/or need assistance in making payment arrangements.

EFFECTIVE: September 7, 2017

  
 \_\_\_\_\_  
 Authorized Board Member

9/7/17  
 \_\_\_\_\_  
 Date