

Levy Townhouse Owners Association, Inc.

Violations and Fine Policy

Philosophy of Enforcement

Levy Townhouse Owners Association, Inc. seeks to maintain a pleasant, safe and family-friendly neighborhood.

Violations of the Covenants, Conditions and Restrictions (CC&Rs) and Rules and Procedures of the Levy Townhouse Owners Association result in the following step process. Most violations can be cured by the homeowner upon receipt of a notice and warning and are not repeated so that a fine is not assessed. However, if violations are not corrected within the time allotted or are repeated periodically, the violations become chronic and repetitive and have a more serious negative impact on our community and a correspondingly more significant fine.

Violation Schedule

1st violation: Notice and warning

2nd violation: Notice and warning if not cured or recurred within 10 days from the 1st violation; another violation of the same within a six-month period will be considered a continuation of this violation. Notice and fine of \$25.00

3rd violation: Failure to correct within 10 days or another violation of the same within 6 months of 1st violation. Notice and fine of \$50.00

4th violation: Failure to correct within 10 days or another violation of the same within 6 months of the 1st violation. Notice and fine of \$75.00

5th violation: Failure to correct within 10 days or another violation of the same within 6 months of 1st violation: the violation is now considered a Chronic and Repetitive Violation. Notice and fine of \$100.00

Procedures

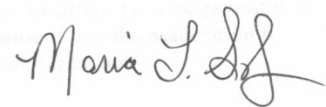
These procedures are in compliance with the Texas Residential Property Owners Protection Act (Texas Property Code Chapter 209). For complete provisions, refer to Chap. 209.

1. Levy Townhouse Owners Association, Inc. will verify any reports of possible violations.
2. If a violation is documented, notice will be sent by the HOA.
 - A. Notice of 1st Violation and Warning will be delivered to the property address and sent via first class mail to homeowner (if property is tenant occupied) identifying the violations. The homeowner will have ten (10) days to cure the violation.
 - B. Notice of 2nd Violation and Warning and all following notices with fines will be sent simultaneously by certified mail, return receipt requested and by regular mail, with a copy of the initial notice included.
3. The Notice must:
 - A. Describe the violation or property damage that is the basis for the action, charge, or fine and state any amount due the association from the owner;

- B. Inform the owner that the owner:
 - (1) is entitled to cure the violation and avoid the fine unless the owner was given notice and an opportunity to cure a similar violation within the preceding six (6) months; and
 - (2) may request a hearing under Section 209.007 on or before the 30th day after the date the owner receives the notice.
- 4. Hearing.
 - A. If the owner is entitled to an opportunity to cure the violation, the owner has a right to submit a written request for a hearing to discuss and verify the facts and resolve the matter in issue before a committee appointed by the Board or before the Board if the Board does not appoint a committee.
 - B. The Association shall hold a hearing under Section 209.007 not later than the 30th day after the date the Board receives the owner's request for a hearing and shall notify the owner of the date, time and place of the hearing not later than the 10th day before the date of the hearing. The Board or the owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.
 - C. An owner or the Association may use alternate dispute resolution services.
- 5. The notice and hearing provisions do not apply:
 - A. If the association files a suit seeking temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action.
 - B. To a temporary suspension of a person's right to use common areas if the temporary suspension is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision.

I, Maria T. Solis, President of the Levy Townhouse Owners Association, Inc. certify that the above and foregoing is true and correct copy of the Resolution passed unanimously by the members present and voting at the meeting held on Tuesday, November 12, 2013.

This policy was adopted by the Levy Townhouse Owners Association, Inc. Board of Directors and by Resolution of the Board of Directors, is effective January 1, 2014.



Maria T. Solis
President