

RESOLUTION
of
BOARD OF DIRECTORS
for
PINE FOREST GREEN HOMEOWNERS ASSOCIATION, INC.
regarding
FINING AND DEED RESTRICTION ENFORCEMENT POLICY FOR
PINE FOREST GREEN HOMEOWNERS ASSOCIATION, INC.

At a regular meeting of the *Board of Directors* (Board) for the *Pine Forest Green Homeowners Association, Inc.* (Association), said meeting being properly called and a quorum being present, came to be heard the matter of imposing fines against those responsible for violations of the Association's Dedicatory Instruments [as that term is defined in Chapter 202.001(1) of the *Texas Property Code* or its successor statute] on properties under the jurisdiction of the Association.

WHEREAS, the Pine Forest Green Homeowners Association, Inc. has jurisdiction over the property described in the *Declaration of Covenants, Conditions and Restrictions for Pine Forest Green Homeowners Association*, recorded in the Real Property Records of Harris County, Texas at Harris County Clerk's File No. Y456984, of the Deed Records of Harris County, Texas as amended and/or supplemented (all such documents collectively referred to herein as the "Declaration");

WHEREAS, Article VII, Section 16 of the Declaration for Pine Forest Green Homeowners Association, Inc. authorizes the Board of Directors for Pine Forest Green Homeowners Association, Inc. to adopt deed restriction enforcement standards;

WHEREAS The Board of Directors for Pine Forest Green Homeowners Association, Inc. ("Board") is charged with the responsibility of maintaining the common areas and amenities of the Association, and enforcing the deed restrictions. In order to fulfill those duties, the Board has adopted the following Fining and Deed Restriction Enforcement and Policy:

FINING POLICY

1. Each Owner (as that term is defined by the Declaration) is responsible for assuring that Owner's tenant(s), occupant(s), guest(s) and invitees comply with the provisions of the Dedicatory Instruments. In the event an Owner, tenant, occupant, guest or invitee of an Owner violates any of the provisions of the Dedicatory Instruments [as that term is defined by Chapter 202.001(1) of the *Texas Property Code* or its successor statute], the Association's Board shall have the authority to impose a fine as described below upon the Owner and/or occupant of a property.
2. The Management Company will provide periodic deed restriction inspections as provided in the management contract. Managers will note violations and take the appropriate action described below.

If a Member of the Association (complainant) wishes to register a complaint regarding a violation caused by an Owner (violator), and that violation would result in the Owner (violator) receiving a certified notice proposing fines from the Association, the Member complainant must provide fair and concise documentation of the violation. The documentation should specify the violation and note the date, time and degree of the violation, if applicable. Complaints that are received without documentation and which cannot be independently observed and documented by a representative of the Board of Director or the Management Company will not be acted upon.

3. A homeowner who receives notice of a violation may request a hearing relating to the violation on or before the thirtieth (30th) day from the date the notice was mailed to the owner. Requests for a hearing must be made in writing and delivered to the property manager within the time described herein. Upon receipt of a valid request, the manager will advise the requesting owner of the date, time and place of the hearing no less than ten (10) days before the hearing.
4. When violations are observed or reported as described in paragraph 2 above, the Association will send written notices to the Owner advising of the violation as follows:

First Letter: Courtesy Letter; Owner has 30 days from the date of the letter to cure the violation.

Second Letter: Fines Begin as described in paragraph 5 below; Letter shall be sent by regular mail and certified mail, return receipt requested.

Additional Letters: After the second demand letter, the Association may, at its discretion, choose to send additional demand letters or proceed with litigation. Any additional letters are subject to fines as described in paragraph 5 below.

The Association, at its discretion, may include multiple violations in each letter or may send a separate letter for each violation individually. Each letter shall describe each violation it contemplates individually and reasonably advise the Owner that each is a separate violation that will be fined separately according to the schedule below.

5. After the initial courtesy letter is sent, fines will begin to accrue as follows:

First Violation:	\$ 25.00 per violation
Second Violation:	\$ 50.00 per violation
Each Additional Violation:	\$ 75.00 per violation

Violations will be considered single occurrences or separate occurrences as determined at the sole discretion of the Board.

No fine will be assessed unless and until the thirty day period for an Owner to request a hearing has expired; or a hearing has been held and the Board of Directors still considers the issue a violation of the Restrictions.

6. The Board is hereby authorized at its sole discretion to impose a lesser fine or no fine at all for a violation of the Dedicatory Instruments. Any adjustment to the Fine Schedule by the Board shall not be construed as a waiver of this Fine Schedule or the Dedicatory Instruments.
7. Nothing herein shall be considered a condition precedent to filing suit and the Board is hereby authorized at its sole discretion to forego all or any number of steps in the policy described above and proceed immediately with litigation as provided in the Dedicatory Instruments and/or Texas law.
8. Notwithstanding anything herein to the contrary, the Board of Directors for Pine Forest Green Homeowners Association, Inc., after providing no less than ten (10) days notice to an owner, shall have the authority to enter (itself or through its agents) any Lot within the Association and abate, cure and/or secure compliance with the Declaration and restore such Lot to a neat, attractive and healthful and sanitary condition. The cost of such abatement shall be added to the Owner's assessment account and shall be secured by the Association's lien on the property as described further in Article VII, Section 16 of the Restrictions. IN addition
9. This Fining Policy is in addition to any other remedy the Association may have to pursue a violation of the Dedicatory Instruments and in no way limits or estops the Association from pursuing any other remedy to enforce the Dedicatory Instruments.

ADOPTED by affirmative vote of the Board of Directors this 15 day of May, 2017

Pine Forest Green Homeowners
Association, Inc.

By: 

Secretary

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RP-2017-24318

CERTIFICATION

I, the undersigned, am the duly elected and acting Secretary of Pine Forest Green Homeowners Association, Inc., a non-profit corporation, and do hereby certify that:

The foregoing *Resolution of Board of Directors for Pine Forest Green Homeowners Association, Inc. Regarding Fining Policy for Pine Forest Green Homeowners Association, Inc.* was properly adopted as of the 15 day of May, 2017.

Pine Forest Green Homeowners Association, Inc.

By: _____

Secretary

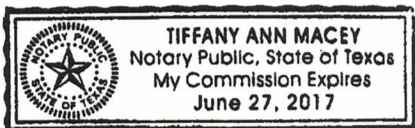
THE STATE OF TEXAS

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COUNTY OF HARRIS

I, the undersigned, a Notary Public in and for the State of Texas, hereby certify that Jared Richards Secretary of Pine Forest Green Homeowners Association, Inc., signed to the foregoing instrument, and being authorized and empowered to do so, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily for the uses and purposes and considerations stated therein.

Given under my hand and official seal this the 15 day of May, 2017



Tiffany A Macey
Notary Public - State of Texas

Ret
Gregg & Gregg ✓
11655 Space Center Blvd
Suite 150
Houston, Texas 77062

RP-2017-24318

FILED FOR RECORD

8:00:00 AM

Friday, June 2, 2017

Stan Stanort

COUNTY CLERK, HARRIS COUNTY, TEXAS

UNOFFICIAL COPY

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Friday, June 2, 2017



Stan Stanort
COUNTY CLERK
HARRIS COUNTY, TEXAS

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