

*****NOTICE*****

Fox Meadows HOA Fine Schedule

To protect all neighbors from the most extreme cases of home neglect, the Association has instituted a fine schedule to help with enforcement. The goal of the fines is to expedite fixing the problem through fines that grow exponentially if the home owner ignores the problem.

We will be conducting inspections of the community twice a month. The inspections will never be on trash collection days. When a violation is noted the following actions will take place.

- **First violation** –a courtesy notice will be sent to the homeowner and will be attached to the front door and emailed to email address we have on file.
- **Second violation** –a 2nd notice will be mailed first class to the homeowner as required by the Texas Property Code and is considered legal notice of impending fine if violation is not cured.
- **Third violation** –a 3rd notice for a violation of the same class will result in a \$50.00 fine and an additional \$7.00 charge for the certified letter will be charged to the address of the violation. The homeowner has the right to appeal the fine to the Board within 30 days.
- **EACH FURTHER OCCURRENCE OF THE SAME CLASS OF VIOLATION WILL INCUR ANOTHER \$50.00 FINE FOR EACH VIOLATION CITATION AND AN ADDITIONAL \$7.00 CHARGE FOR THE CERTIFIED LETTER.**

If a complaint regarding a violation is registered by a Member of the Association and this violation would result in the Owner (violator) receiving a certified notice proposing fines from the Association, the Member must provide fair and concise documentation of the violation. The documentation should specify the violation and note the time dated 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 Directors, will not be acted upon.

If six (6) repeat violations occur within a six-month period and the violation is not cured within 10 days of the 6th notice the matter will be referred to the Association attorney for further action. In the event the attorneys' fees and collection fees will be incurred by the Owner (violator).

EXAMPLE OF VIOLATION CLASSES:

Three notices of 'well-manicured yard' will result in the progression of the fines/citations. This can be any combination of mowing, edging, weed control, etc. (Not three notices to mow or three notices to edge, etc.)

The Texas Property Code allows a six-month 'look-back' period. This means any previous notice sent for the same violation class within the past six months will result in progression of the violation citation. If the owner has no further recurrences/citations of the violation class within six months, the violation is considered cured and the violation sequence is restarted.

When a fine is assessed, the owner has 30 days to make a written request for a hearing with the Board to contest the fine. An owner will have the opportunity to contest any fine that is assessed against his or her account.

PLEASE NOTE:

The Texas Property Code requires that the notice resulting in a fine and all subsequent fine notices be sent via certified mail which constitutes legal notice to the owner. Each owner is required to keep the Association notified of a current valid mailing address (one at which the owner receives certified mail without being forwarded).

A charge of \$7.00 for each certified letter mailed will be charged to the homeowner's account to which the violation is cited. The Association and other compliant homeowners should not be responsible for paying charges incurred because of another homeowner's lack of compliance with the CCRs (Declarations).

The above resolution was unanimously adopted on April 2, 2017, by the Board of Directors of Fox Meadows Homeowners Association.