

**Violation Enforcement Resolution for the  
«Brittany Lakes Homeowners Association»**

STATE OF TEXAS                   §  
  §  
COUNTY OF Galveston       §

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

RE:               Violation Enforcement/Forced Maintenance 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. To the extent any provision within this policy is in conflict with 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: «ResolutionDate» 5/10/14

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

03/27/14  
\_\_\_\_\_  
Date

## Violation Schedule for the Brittany Lakes Homeowners Association

A. Send a ten (10) day courtesy notice (Sent Regular Mail)	1 <sup>st</sup> Report/Sighting	10 days to correct
B. Send notice of intent to fine <b><u>twenty five (25) dollars</u></b> if the violation is not resolved within ten (10) days from the notice. (Sent Regular and Certified Mail)	2 <sup>nd</sup> Notice	10 days to correct
C. Send notice of applied fine of <b><u>fifty (50) dollars</u></b> and the intent to fine an additional <b><u>fifty (50) dollars</u></b> if the violation is not resolved within fifteen days from the notice. (Sent Regular and Certified Mail)	3 <sup>rd</sup> Notice  (Violation not corrected)	10 days to correct
D. Send notice of applied fine of <b><u>seventy five (75) dollars</u></b> and the intent to fine an additional <b><u>seventy five (75) dollars</u></b> if the violation is not resolved within fifteen days from the notice. (Sent Regular and Certified Mail)	4 <sup>th</sup> Notice  (Violation not corrected)	10 days to correct
E. The association may continue to utilize the <b><u>one hundred (100) dollar</u></b> fine and letter, every fifteen (30) days, if the violation remains unresolved. The board may also escalate the matter to the association's attorney by sending a final notice that the file will be forwarded to the association's attorney to correct the violation through the court system in thirty (30) days if the violation is not resolved. (Sent Regular and Certified Mail)	Final Notice  (Violation not corrected)	30 Days to Correct

### General Policy

If a homeowner contacts 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 shall immediately be referred to the Association's attorney.

### 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 lien.

**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.

#### **Forced Maintenance Procedure**

It is the option of the Board to decide when and if a contractor will. In the event any Owner of any Lot fails to maintain the exterior of the Lot, including the exterior of the dwelling or other structures and the parking areas in a manner satisfactory to the Board of Directors of the Association, the Association, after (30) days' notice to the Owner of the Lot setting forth the action intended to be taken by the association and after approved by a two-third(2/3) vote of the Board of Directors, shall have the right , but not the obligation, through its agents, contractors and/or employees, to enter upon said Lot and to repair, maintain, or restore the exterior of the Dwelling, other structure or parking areas.