

**ENFORCEMENT GUIDELINES AND FINE POLICY
FOR
SOUTHVIEW HOMEOWNERS ASSOCIATION, INC.**

State of Texas §
 §
County of Tarrant §

These **ENFORCEMENT GUIDELINES AND FINE POLICY** (the "Policy") of the **SOUTHVIEW HOMEOWNERS ASSOCIATION, INC.** (the "Association") were duly adopted by the association, acting through its Board of Directors (the "Board"), on the 12th day of November, 2024, setting forth certain policies of the Association to aid in the management of the Association and the property known as Southview Subdivision, subject to the First Amendment of the Declaration of Covenants, Conditions and Restrictions for Southview Subdivision, recorded December 20, 2023 under Instrument No. D223224769 in the Official Public Records of Tarrant County, Texas (as amended and/or supplemented, the "Declaration"), the Articles of Incorporation of the Association, filed in the Office of the Secretary of State of Texas on November 26, 1991 (the "Articles"), and the Amended and Restated Bylaws of Southview Homeowners Association, Inc. recorded January 4, 2023 under Instrument No. D223001157 in the Official Public Records of Tarrant County, Texas, as amended (the "Bylaws"), and all policies, rules and regulations duly adopted by the Association from time to time, (collectively, the "Governing Documents").

This Policy supersedes and replaces any previous fine policy. The Board shall have the authority to amend this policy from time to time, as is deemed necessary in the Board's discretion, by a unanimous affirmative vote of the Board. The Policy may also be amended by an affirmation vote of 60% of the Members entitled to cast votes, as provided in the Bylaws and Declaration.

I. ENFORCEMENT GUIDELINES

The Board has adopted the following guidelines about the Notice of Violations for enforcement actions and fining Owners who violate, or whose tenants, residents, or guests violate the rules, restrictions, and/or covenants of the Declaration.

Notice	Notice of Violation Content	Method of Issuance
1 st	The Owner is sent one or more courtesy letters requesting compliance within a reasonable period	First-class mail and/or email
2 nd	The Owner is sent a warning letter requesting compliance within a reasonable period	First-class mail and/or email
3 rd	The Owner is sent a "Notice of Violation" letter requesting compliance within a reasonable period. The Owners is also advised that a fine may be levied if the violation is not cured or reoccurs within six (6) months	Registered or certified mail
4 th	If the violation is not cured or reoccurs within six (6) months, the Owner will be sent a letter notifying that a fine will be levied. The letter will also notify the Owner that additional fines may be levied if the violation is not cured	First-class mail, registered mail or certified mail

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Page: 1 of 4

Fees: \$32.00

SUBMITTER: SOUTHVIEW HOMEOWNERS ASSOCIATION INC

Mary Louise Nicholson
MARY LOUISE NICHOLSON
COUNTY CLERK

The "Notice of Violation" letter refers to Section 209.006 of the Texas Property Code, which states that notice is required before enforcement action is taken. The "Notice of Violation" must:

- (1) describe the violation or property damage that is the basis for the suspension action, charge or fine;
- (2) inform the Owner that they are entitled to a reasonable period to cure the violation and avoid fine(s);
- (3) specify the date by which the owner must cure the violation;
- (4) inform the Owner that they may request a hearing under Section 209.007 to appeal;
- (5) be sent by certified mail to the Owner at the Owner's last known address as shown on the association records.

Violations are categorized as either Curable, which means the violation can be eliminated and corrected or Uncurable. If a violation is curable, the courtesy letter(s) and the "Notice of Violation" letter will provide the Owner with a reasonable time to cure the violation. If a violation is uncurable, the courtesy letter(s) and the "Notice of Violation" letter will provide the Owner with notice of violation and advise the Owner that additional enforcement actions including fines will continue if the violation occurs.

If the Owner fails to bring the Property into compliance with the Declarations, the Association may turn the violation over to legal counsel to pursue corrective actions. All legal fees incurred by the Association to pursue correction of the violation will be charged back to the Owner; the Owner will be required to reimburse the Association for all costs, including legal fees incurred.

II. FINE SCHEDULE:

CURABLE VIOLATIONS	EXAMPLES	1st Fine	2nd Fine	3rd Fine	Subsequent Fines
Architectural Violation	Including but not limited to failure to obtain approval for construction improvements or modifications or noncompliance of approved plan. This includes fences, replacement and staining; house painting, satellite dish, roof replacements and any outdoor improvements, devices or structures	\$100	\$150	\$200	\$500
Maintenance Violation	Including but not limited to Landscaping, Weeds, Tree Trimming, Shrubs, Sidewalk damage, Garbage Cans, Sporting Equipment and Trash/Debris	\$50	\$100	\$200	\$500
Parking Vehicle Violation	RV, Boat, Trailer and/or on-street parking	\$50	\$100	\$200	\$500
Pet Violation	Ongoing barking dog, failure to control pet	\$50	\$100	\$200	\$500
UNCURABLE VIOLATIONS	EXAMPLES	1st Fine	2nd Fine	3rd Fine	Subsequent Fines
General Violations	Shooting fireworks, any act constituting a threat to health or safety, noise violation that is not ongoing, property damage, including the removal or alteration of landscape	\$100	\$150	\$200	\$500

Owners unable to correct the violation within the prescribed time frame in the letter may submit a plan for correction to the Board for consideration and/or request an extension of time.

For certain landscaping, the Association may execute self-help by entering into the Owner's property and mowing, weeding, and/or trimming vegetation at the Owner's expense, the cost for which will be applied to the Owner's account. The Association or its agents is not liable for trespass if the violation is present at the time the Association or its agents enter the property to perform maintenance of the property due to the violation.

The Board shall have the right, in its sole and absolute discretion, to deviate from the guidelines provided herein, including lowering or waiving fines.

III. APPEALS AND HEARINGS

- A. If an Owner is entitled to an opportunity to cure a violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter before the Board. Such request must be delivered to the Association's address or electronic mail address provided on the most recently filed management certificate.
- B. An Owner must submit a written request for a hearing on or before the 30th day after the date the Notice of Violation and Right to a Hearing was mailed to the Owner. An Owner that fails to request a hearing within thirty (30) days after the date the certified Notice of Violation was mailed will not be entitled to a hearing.
- C. The Association shall hold the hearing not later than the thirtieth (30th) day after the date the request for a hearing is received.
- D. The Association shall notify the Owner of the date, time, and place of the hearing not later than the tenth (10th) day before the date of the hearing.
- E. The Board or the Owner may request a postponement, and if required, a postponement shall be granted for a period of not more than ten (10) days. Additional postponements may be granted by agreement of the parties.
- F. The Notice and Hearing provisions of this Policy do not apply if the Association files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action.

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CERTIFICATION

I, the undersigned, being the duly elected and acting President of Southview Homeowners Association, Inc, a non-profit corporation, hereby certify as follows:

The Enforcement Guidelines and Fine Policy of Southview Homeowners Association, Inc., were properly adopted as of the 12th day of November 2024 at an Executive Session by the Board of Directors.

IN WITNESS WHEREOF, we have executed the document to be effective upon the date of recording in the official public records of Tarrant County, Texas.

SOUTHVIEW HOMEOWNERS ASSOCIATION, INC.

By: _____

**Duane A. Gee, Registered Agent and President
of Southview Homeowners Association, Inc.**

THE STATE OF TEXAS

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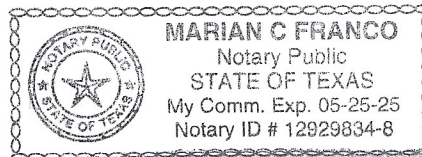
COUNTY OF TARRANT

This instrument is acknowledged before me on the 4th day of Dec 2024 by Duane A. Gee, President of Southview Homeowners Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

After Recording, Return to:

Southview Homeowners Association, Inc.
P.O. Box 92803
Southlake, Texas 76092-0803



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NOTICE
Pages: 4
Fees: \$32.00

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TARRANT COUNTY, TEXAS
12/05/2024 10:11 AM

MARY LOUISE NICHOLSON
COUNTY CLERK