

Mary Louise Nicholson
MARY LOUISE NICHOLSON
COUNTY CLERK

**NOTICE OF FILING: AMENDED VIOLATION AND
FINING POLICY
REM PARK H.A., INC.**

STATE OF TEXAS)
)
COUNTY OF TARRANT) **KNOW ALL MEN BY THESE PRESENTS**

**THIS NOTICE OF DEDICATORY INSTRUMENT FILING FOR REM PARK H.A., INC.
("Notice") is made October 17, 2023 by REMINGTON PARK ("The Association")**

WITNESSETH:

WHEREAS, the Association is the property owners' association created to manage or regulate the planned development covered by the **Declaration of Covenants, Conditions and Restrictions for REM PARK H.A.**; and

WHEREAS, Section 202.006 of the Texas Property Code provides that a property owners' association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the planned development is located; and

WHEREAS, the Association desires to record the attached dedicatory instrument in the real property records of **TARRANT County**, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code and for the purpose of providing public notice of the following dedicatory instrument affecting the owners of property within **REM PARK H.A.** subdivision ("Owner").

NOW THEREFORE, the supplement hereto as Exhibit "A" are originals and are hereby filed of record in the real property records of **TARRANT County**, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

IN WITNESS WHEREOF, the Association has caused this Notice to be executed by its duly authorized agent as of the date first written above.

REM PARK H.A., INC.
By: *Dawn Kelly*
Name: *Dawn Kelly*
Title: *Authorized Agent*

ACKNOWLEDGMENT

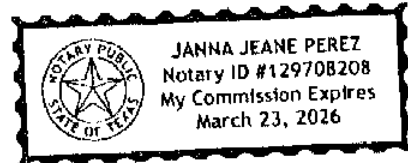
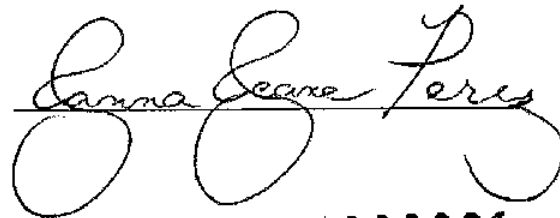
STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Dawn Kelly, authorized agent of **REM PARK H.A., INC.**

known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposed and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 18th day of October, 2023



Remington Park HOA
Article IX, Use of Properties and Lots; Protective Covenants
Notice of Violation and Fining Policy

The Board of Directors have established the following procedures and practices for the enforcement of the CC&R's and are to be known as the "Notice of Violation and Fining Policy", which shall replace the previously adopted 2015 Fining Policy.

1. Initial Notice

A written Notice of Violation (NOV) will be issued for each CC&R violation. The NOV will be sent via email to the address on record with the HOA stating the violation, the date the Violation must be corrected (Correction Date) and a copy of the fining policy, stating that fines that will be assessed if not corrected.

2. Second Notice

If the violation has not been corrected by the Correction Date contained in the Initial Notice, a Second Notice of Violation (NOV) will be sent ten (10) day after the Correction Date via email and First Class Mail containing the amount of the initial fine, the date the Violation must be corrected, the fine amount and the amount the fine will be increased if the Violation is not corrected. A schedule of fine payment dates will be included with the Second Notice.

3. Third Notice

If the violation has not been corrected or if no response has been received from the homeowner within thirty (30) days from the date of the Initial Notice, a Third Notice will be issued via Certified Mail and email warning that the accumulated fines and Certified Mail costs must be paid or legal proceedings will be initiated.

Damage Assessment: Violations that result in property damage or cause the Association to incur cleanup or correction costs will result in a "Damage Assessment" on the homeowners account. Cleanup and correction costs will be assessed at two (2) times the actual cleanup costs in accordance with Section 9.27(c) of the CC&Rs. Property damage will be assessed at actual cost.

Examples of CC&R Violations	Initial Fine	Ongoing until corrected
Trash Receptacles - Collection / Visibility from Street	\$50	\$25/week
Mailbox Policy	\$50	\$25/week
Overnight Street Parking	\$100	\$50/week
Duty of Yard/Fence Maintenance	\$100	\$50/week
AC / Pool Equipment Visible From Street	\$100	\$50/week
Signs	\$100	\$50/week
Two Trees in Front Yard	\$100	\$50/week
Materials on Iron Fencing	\$100	\$50/week
Deliberate (Flagrant) Violations	\$100	Board Decision
Holiday Lighting	\$200	\$100/week
RV/Trailer Parking	\$200	\$100/week
Residence Leasing	\$2000	\$2000 per day

Examples of ARA Violations	Initial Fine	Ongoing until corrected
Starting construction without ARA Approval	\$500	Board Decision
Non-Conforming Improvement	\$500	Board Decision
Roof Replacement without ARA Approval	\$500	Board Decision
Fence Replacement without ARA Approval	\$500	Board Decision
Exterior Paint without ARA Approval	\$500	Board Decision

Information regarding hearings described by Section 209.007 of the Texas Property Code

- A. Except as provided by subsections (C) and (D) below, and only if the Owner is entitled to an opportunity to cure the violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board.
- B. The Association shall hold a hearing 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. The Owner or the Association may make an audio recording of the meeting.
- C. The notice and hearing provisions of Section 209.006 and Section 209.007 of the Texas Property Code 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. If a suit is filed relating to a matter to which those sections apply, a party to the suit may file a motion to compel mediation.
- D. The notice and hearing provisions of Section 209.006 and Section 209.007 of the Texas Property Code do not apply to a temporary suspension of an Owner'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. The temporary suspension is effective until the Board makes a final determination on the suspension action after following the procedures prescribed by this section.
- E. An Owner or the Association may use alternative dispute resolution services.
- F. Not later than 10 days before the Association holds a hearing under this section, the Association shall provide to an Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing.
- G. If an Association does not provide a packet within the period described by subsection (F), an Owner is entitled to an automatic 15-day postponement of the hearing.
- H. During a hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. An Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the appeal or dispute.

Notice to Members. The Association shall:

- A. Provide a copy of this Policy to an Owner of a lot in the Subdivision by:
- a. posting the policy on an Internet website maintained by the Association or an agent acting on behalf of the Association and accessible to Members of the Association; or
 - b. annually sending a copy of the policy, separately or included in routine communication from the Association to Members, by:

- i. hand delivery to the Owner;
- ii. first class mail to the Owner's last known mailing address; or
- iii. e-mail to an e-mail address provided to the Association by the Owner;

B. Make the policy available on any publicly accessible Internet website maintained by the Association or an agent acting on behalf of the Association.

Owner's Liability.

An Owner is liable for any fines levied by the Association for violations by the Owner, any lessees, or the Owner or lessees' family, guests, employees, agents or contractors. Regardless of who performs the violation, the Association will direct its communications to the Owner.

Definitions.

ARA. Architectural Review Authority. This committee is appointed by the Board President and is responsible for interpreting CC&RS and reviewing ARA requests.

NCCC. Neighborhood Code Compliance Committee. Committee is appointed by the Board President and is responsible for conducting property audits and issuing Notices of Violations

Any words not defined in this Policy shall have the same meaning assigned in the Declaration of CONSOLIDATED AND AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR REMINGTON PARK file of record in the State of Texas of the Tarrant County Clerk, Tarrant County Texas on November 9, 2009.

By their signatures below the President and the Secretary of the Association certify that the foregoing resolution was approved by the Board of Directors of the Association at a duly-called meeting of the Board of Directors at which a quorum of Directors was present, or by signed, unanimous written consent in lieu of a meeting.

PASSED, ADOPTED AND APPROVED on this the 10th day of October 2023.

Julie Richie

Julie Richie, Secretary, Remington Park HOA

Larry Owens

Larry Owens, President, Remington Park HOA