

Retama Springs Homeowners' Association Violations & Fine Policy

The purpose of this policy is to establish guidelines for some of the frequent types of violations addressed in the Deed Restrictions. It is not intended to be a complete list of all possible violations. For more complete information refer to the *Declaration and Covenants, Conditions and Restrictions for Retama Springs Subdivision* (henceforth referred to as DCCR's). These DCCR's can be found in full on the FirstService Residential resident portal at <http://texas.fsrconnect.com>. To find them, from the My Community page, select Forms and Documents. Then select Association Documents. The relevant documents are:

- RS_Policy Manual.pdf
- 736_ACA_Design_Standards_Revision_2014-09-01_Exhibit1.pdf
- RS_Policy Manual.pdf
- 736_DCCR.pdf

A consolidated summary of these documents can also be found on the Documents page of the Retama Springs HOA website at www.retamaspringshoa.com.

GOAL

The goal of adopting this policy for violation notification is to make the homeowners aware of ongoing problems that affect their neighbors and the overall quality of the neighborhood. The violation process includes initial notification, ample time to take corrective actions, and fair enforcement by an objective third party.

This fining policy is to provide an incentive to homeowners to address ongoing problems that are going without correction. Refusal to take corrective actions when notified must be followed up with a monetary penalty that is contributed to the process of improvement for our neighborhood. This policy was adopted by the Retama Springs Homeowners Association, Inc. Board of Directors and, by Resolution of the Board of Directors, is effective on January 1, 2018.

It is not the intent of this policy to place undue hardship on residents. Extenuating circumstances that may impact a resident's ability to comply may be considered by the HOA Board of Directors on a case-by-case basis.

POLICY

All properties should be kept neat and well-maintained at all times.

VIOLATIONS

Yard maintenance: Yards must be maintained on a basis frequent enough to maintain an overall well-kept appearance. This includes:

- Mowing: Front yard and side yard of corner lots.
- Edging: Sidewalk, driveway and curb; no runners should be showing on paved surfaces.
- Weed control: Flowerbeds, non-lawn areas, and cracks of sidewalks, and driveways.
- Vegetation requirements: The majority of the front yard will consist of grass or short, maintained vegetation or groundcover. No hard, packed earth or barren spots. Gravel and

loose stones cannot be used in lieu of vegetation except in curb areas and adjacent to the house.

- Yard debris, including lawn clippings and tree & shrub trimmings, must be removed from view after maintenance until trash pick-up day. Blowing, raking or sweeping lawn clippings and leaves into the street is not acceptable.
- Pruning: Trees must be pruned to 8' above the sidewalks and streets. Shrubs may not extend over paved areas. All shrubs on the Lot must be neat and pruned.
- Removing dead plants, shrubs, trees in a timely manner.
- Watering grass, vegetation and groundcover often enough to prevent unseasonal discoloration or barren spots (without violating local water conservation directives).
- Keeping Lot areas that are visible from the street picked up and clear of miscellaneous items which are not meant to be permanently placed in yard.

Exterior home maintenance: Home siding and trim must be maintained on a basis frequent enough to maintain an overall well-kept appearance. This includes:

- Siding: Regular painting; repair or replacement of worn or damaged siding planks; removal of unsightly stains or mildew.
- Trim: Regular painting; repair or replacement of worn or damaged trim pieces.

Window coverings and treatments: All windows that can be viewed from the street must have fitted window coverings and must be in good condition (no bent/broken slats, no tattered/torn edges). Covering windows with foil, reflective film, blankets, sheets, or paper is not permitted.

Trash receptacles: All trash containers must be hidden from general view except on trash pick-up day. If containers can be seen from the street, they are not out of view.

Unapproved exterior changes: All changes to the exterior of the residence, the addition of any structure, fence replacement or installation, painting, roof replacement, and major landscape modifications and installations must be pre-approved in writing by the ACC. (Refer to DCCR's)

Boats, trailers, and other recreational vehicles and equipment: May not be parked or stored on any Lot or within the neighborhood without prior authorization. Special considerations will be given, but limited to forty-eight hours, in the case of preparation and unloading of recreational vehicles and trailers. Removal of the recreational vehicle or trailer for short periods of times, so as to avoid the intent of this provision, shall NOT affect the running of the time periods set out herein. Definitions – includes, but not limited to, recreational equipment (boats, jet skis, campers, RV's, off-road vehicles, etc.), and trailers (hauling, storage, utility).

Vehicles: Vehicles that are regularly parked in view may not be parked on the grass or on sidewalks at any time. No vehicles without a current license plate, derelict (inoperable), junk, or racing vehicles shall be located on any Lot temporarily or permanently. City of Selma authorities will be contacted to enforce procedures to remove abandoned and/or inoperable vehicles from the street and right-of-ways. Definitions of inoperable vehicles includes, but is not limited to, expired registration, expired inspection, without a current license plate, elevated for some period of time and vehicles in need of required parts or maintenance (i.e. missing components, flat or missing tires, etc.).

Basketball hoops: Portable or street hoops need to be moved near the house or garage when not in use. At no time are portable or street hoops to be used or stored in the street.

Animals: All pets must be leashed and at all times must be under control of the person holding the leash. Dogs, cats or any other animals may not be allowed to cause a nuisance. Pets may not foul another owner's property. If an accident occurs, the pet's owner must immediately remove the feces from the property. This also applies to the Association's common areas.

Other: Examples of additional things that could incur violations are:

- Window air conditioning units.
- Deferred maintenance of the property.
- Miscellany in Yard – Any items in yard which are not meant to be permanently placed in yard such as household furniture, toys or yard tools.

VIOLATION NOTICES AND FINES

The Board of Directors is given express authority in the Association's DCCR's and Bylaws to adopt and publish rules and regulations to enforce the protective covenants. In order to enforce these rules, the HOA Board has also adopted a notification and fining policy to address repeat violations.

Violation notices will reference the type of violation present. Violations will be categorized as one of the following types:

- Nuisance violations
 - trash cans visible from the street
 - hanging clothes outside
 - debris in front yard, etc.
- Landscaping violations
 - overgrown lawn grasses (higher than 6")
 - overgrown or excessive weeds
 - Trees and/or vegetation in need of trimming, etc.
- Maintenance violations
 - Worn paint on siding and/or trim
 - Fencing in need of repair or restraining
 - Roof in need of repair/shingle replacement
 - Siding or trim in need of replacement, etc.
- Blatant violations
 - making modifications without approval
 - livestock violations, etc.

1st notice of violation will be mailed to the homeowner and will include the date, type and number of the violation. Compliance within a specific time frame is required in order to avoid a fine following 1st notice of a violation. The time frame for violation correction varies depending on the type of violation:

- Nuisance violations 3 days
- Landscaping violations 7 days

- Maintenance violations 30 days
- Blatant violations Varies (depending on the severity of the violation)

2nd notices of violation will be mailed to the homeowner, and will include an unavoidable fine for continued or repeated non-compliance. The time frame for violation correction for a 2nd notice is the same as for the 1st notice (see above), but the 2nd notice will include a fine in the following amount:

- Nuisance violations \$15
- Landscaping violations \$25
- Maintenance violations \$50
- Blatant violations \$100

All subsequent notices (3rd notice, 4th notice, etc.) of violation will be mailed to the homeowner, and will include a larger unavoidable fine for continued or repeated non-compliance. The time frame for violation correction for any subsequent notice is the same as for the 1st notice (see above), but all subsequent notices will include a fine in the following amount:

- Nuisance violations \$35
- Landscaping violations \$55
- Maintenance violations \$95
- Blatant violations \$100

To ensure continued compliance by all homeowners, fines for all notices beyond the 1st notice will be applied cumulatively.

If the violation condition is corrected (“cured”) and remains “cured” for 180 days, the process will begin again as a 1st violation for any future violations of the same type.

The 2nd notice for a violation, or the 2nd violation of a similar kind, will each result in a fine and **each** subsequent similar violation will incur an additional fine. Example: 2 notices falling under the violation category of “Landscaping” will receive an initial fine. This can be any combination of mowing, edging, weed control, etc.; not just 2 notices to mow, or 2 notices to edge.

When a fine is assessed, the owner will receive the notice of violation along with an invoice showing the fine has been added to their assessment account. An owner will have the opportunity to contest any fine that is assessed against their assessment account. The process will be stated on the notice.

The fines collected will be added to the Retama Springs HOA account and used to offset the cost of management and enforcement of the neighborhood rules. The Property Manager will provide uniform enforcement and tracking of homeowner violations. The Manager will provide regular updates to the HOA Board on homeowner communications and status of violation notices.

This fine schedule is a guideline only. The Board reserves the right to levy lesser or greater fines, and provide additional warnings or fewer warnings before fines are assessed.

Signed this the 30th day of January, 2018.

RETAMA SPRINGS HOMEOWNERS ASSOCIATION, INC.
a Texas non-profit corporation

By: [Signature]
Matthew Netherton, President

By: [Signature]
Jeanne Tarrants, Secretary

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Matthew Netherton, known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 30th day of January, 2018.

[Signature]
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

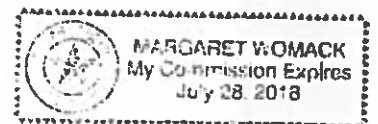


Before me, the undersigned notary public, on this day personally appeared Jeanne Tarrants, known to me or proved to me by presentation to me of a governmentally-issued identification card to be one of the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 30th day of January, 2018.

[Signature]
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Retama Springs Homeowners Association, Inc.
c/o FirstService Residential
3424 Paesanos Parkway, Suite 100
San Antonio, TX 78231
5464001/1601367



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e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$46.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
02/02/2018 10:00AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff