

**FINE POLICY
FOR
ARCADIA PARK ESTATES HOMEOWNER’S ASSOCIATION, INC.**

At a regular meeting of the Board of Directors for the Arcadia Park Estates Homeowner’s Association, Inc., said meeting being properly called and a quorum being present, came to be heard the matter of establishing certain rules and regulations related to a fine policy. The said rules and regulations are effective immediately and apply to the property described in Exhibit “A”, as follows:

Violation Notification and Fining Policy Summary

Written notice of non-compliance will be sent to the Owner with a description of each violation and the date of occurrence. Imposition of fines can be recurring. The Association retains the right to bring suit or exercise its self-help remedies without notice if deemed necessary or appropriate in the sole discretion of the Board of the Association. As permitted under the Declaration of Covenants, Conditions and Restrictions for Arcadia Park Estates Homeowner’s Association, Inc., the Association has the right to set rules and regulations and impose fines, if necessary, to achieve compliance. Only the Arcadia Park Estates Homeowner’s Association, Inc. has the right to impose or waive these fines. Fines may be levied in accordance with these rules and regulations and may continue until the problem is corrected.

Notification Process

Step	Action*
1	An initial notice of the non-compliance shall be mailed via regular mail to the Owner requesting that the violation be corrected within 10 days . No fine.
2	If the violation has not been resolved after the initial 30 day period, a second notice requesting compliance within 30 days will be sent via certified mail, return receipt requested, to Owner. In this notice, the Owner will be (a) given a description of the violation or property damage that is the basis for the proposed fine, as well as the fine that will be imposed after the date of the hearing or the date the hearing is forfeited, (b) advised of the right to request a hearing before the Board of Directors on or before the 30th day after the date the owner receives notice of the fine, and (c) advised that he/she is entitled to a reasonable period to cure the violation or property damage and avoid the fine unless the owner was given notice and a reasonable opportunity to cure a similar violation within the preceding six months. The scheduled fine will be assessed and due after the date of the hearing or the date the hearing is forfeited.
3	A third notice requesting compliance within 10 days shall be mailed via certified mail, return receipt requested, to Owner if violation is not corrected per the second notice. The scheduled fine will be assessed again and due within 30 days following the third notice.
4	A fourth notice requesting compliance within 10 days shall be mailed via certified mail, return receipt requested, to the Owner if the violation is not corrected per the third notice. This correspondence shall include notification to the owner that attorney fees and cost will be charged to the owner if the deed violation or property damage continues after a certain date. The scheduled fine will be assessed again and due within 30 days following the fourth notice.

5	<p>If the violation continues without resolution after the fourth notice:</p> <ul style="list-style-type: none"> ○ The scheduled fine will be assessed again. ○ The Board shall have the right to remedy the violation and/or take legal action, the cost of which shall be billed to the Owner. ○ The Board may re-impose an additional fine every 30 days until the violation is corrected. ○ Fines may be assessed on a daily basis following the expiration of the hearing process.
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Fine Schedule

Payment of fine amount does not grant a variance for the violation. All violations must be corrected and brought into compliance. If there is a subsequent violation of the same rule, the fine amount will double with each subsequent violation. The owner of the home will be responsible for any fines assessed on the property. It is the owner’s responsibility to pursue reimbursement of the fines from their tenant(s).

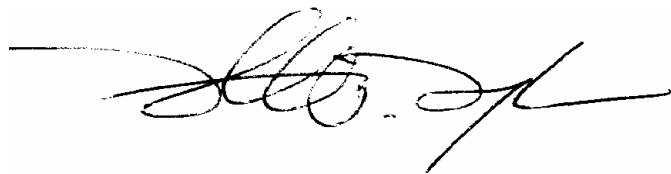
❖ Holiday decoration displayed 30 days after that particular holiday	\$50/month
❖ Property used for storage (boats, vehicles, trailers, oversized work trucks and any other oversized vehicle, etc.....)	\$25/day
❖ Trash cans left in public view on days other than designated pick-up days	\$5/day
❖ Portable Basketball Goal left out in public view when not in use	\$15/day
❖ Landscaping violations	\$15/day
❖ Livestock or poultry kept on property	\$25/day
❖ Home repairs needed (rotting wood, sagging gutters, damaged garage door, refinishing front door, replacing broken light fixtures, etc...)	\$50/month
❖ Exterior painting needed (house, front door, etc...)	\$50/month
❖ Mildew on property	\$50/month
❖ Littering in common areas (Any items such as paper, trash, bottles, dog feces, etc)	\$50/month
❖ Modification, addition or alteration made to property without prior approval from MPHOA	\$100/month
❖ Modification not in accordance with approved plans	\$100/month
❖ Other violations	\$50/month

Hearing Process

The process detailed below shall be used for Arcadia Park Estates Homeowner’s Association, Inc. **Any request for hearing that does not comply with this process shall not be heard by the Board and shall be considered denied.**

Step	Action
1	A written request for a hearing shall be submitted to the Board of Directors at the following address: Arcadia Park Estates Homeowner’s Association, Inc. c/o: Spectrum Association Management 545 E John Carpenter Fwy, Suite 300 Irving, TX 75062
2	The hearing request must be received on or before the 30th day following the owner’s receipt of notice from the Association informing the owner of a right to a hearing. The Association will hold the hearing within 30 days after the date the Board receives the owner’s request. The Association will notify the owner of the date, time, and place of the hearing not later than the 10 th day before the date of the hearing.
3	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.
4	The Board shall review all information and hear any Owner’s presentation then render a decision based on majority vote of a quorum of Board Members. All decisions of the Board are final and may not be further appealed.
5	The fines referenced herein shall be collected in the same fashion as any other assessments pursuant to the operative documents governing the Association and any pertinent state and municipal statutes.

ARCADIA PARK ESTATES PROPERTY OWNERS ASSOCIATION, INC.



Name: Frank W. Traylor
President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the ____ day of _____, 2006, by _____, President of Arcadia Park Estates Homeowner’s Association, Inc., a Texas non-profit corporation, on behalf of said corporation.

Notary Public, State of Texas

Arcadia Park Estates Homeowners Association, Inc.
c/o Spectrum Association Management, LP
545 East John Carpenter Freeway, Suite 300
Irving, TX 75062

