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THE PARKE AT TRAVIS COUNTRY CONDOMINIUMS

FINE AND ENFORCEMENT POLICY

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1. Background. The Parke at Travis Country Condominiums is a community (the "**Community**") created by and subject to that certain Declaration of The Parke Travis Country Condominiums, recorded at Document No. 2000018252 in the Official Public Records of Travis County, Texas, as amended ("**Declaration**"). The operation of the Community is vested in The Parke at Travis Country Condominium Owners Association, Inc. (the "**Association**"), acting through its board of directors (the "**Board**"). The Association is empowered to enforce the covenants, conditions and restrictions of the Declaration, Bylaws and any rules and regulations of the Association (collectively, the "**Governing Documents**"), including the obligation of Owners to pay assessments pursuant to the terms and provisions of the Declaration and the obligations of the Owners to compensate the Association for costs incurred by the Association for enforcing violations of the Governing Documents pursuant to the right of the Association to recover such costs pursuant to Article IX of the Declaration.

2. Authority. Pursuant to the authority vested in the Board by Section 82.102 of the Texas Property code, the Board has adopted Fine and Enforcement Policy for the benefit of the Association.

3. Policy. The Association uses fines to discourage violations of the Governing Documents, and to encourage compliance when a violation occurs - not to punish violators or generate revenue for the Association. Although a fine may be an effective and efficient remedy for certain types of violations or violators, it is only one of several methods available to the Association for enforcing the Governing Documents. The Association's use of fines does not interfere with its exercise of other rights and remedies for the same violation. Nor may the Association use fines to the exclusion of other remedies.

> ***DRAFTER'S DICTUM***
> *Users of this document should periodically review statutes and court rulings that may modify or nullify provisions of this document or its enforcement, or may create rights or duties not anticipated by this document.*

3. Owner's Liability. An Owner is liable for fines levied by the Association for violations of the Governing Documents by the Owner, the Occupants of the Unit, and the relatives, guests, employees, and agents of the Owner and Occupants. Regardless of who performs the violation, the Association will direct its communications to the Owner, although the Association may send copies of its notices to the Occupant.

4. Violation Notice. Before levying a fine, the Association will give the Owner a written violation notice and an opportunity to be heard. This requirement may not be waived. The Association's written violation notice will contain the following items: (1) the date

the violation notice is prepared or mailed; (2) a description of the violation; (3) a reference to the rule or provision that is being violated; (4) a description of the action required to cure the violation; (5) the amount of the fine; (6) a statement that not later than the 30th day after the date of the violation notice, the Owner may request a hearing before the Board to contest the fine; and (7) the date the fine attaches or begins accruing (the "**Start Date**"), subject to the following:

a. New Violation. If the Owner was not given notice and a reasonable opportunity to cure a similar violation within the preceding twelve (12) months, the notice will state a specific date by which the violation must be cured to avoid the fine, if the violation is ongoing or continuous. If the violation is not ongoing, but is instead sporadic or periodic, the notice must state that any future violation of the same rule may result in the levy of a fine.

b. Repeat Violation. In the case of a repeat violation, the notice will state that, because the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding twelve (12) months, the fine attaches from the date of the violation notice.

5. Violation Hearing. An Owner may request in writing a hearing by the Board to contest the fine. To request a hearing before the Board, an Owner must submit a written request to the Association's manager within thirty (30) days after the date of the violation notice. Within fifteen (15) days after Owner's request for a hearing, the Association will give the Owner at least fifteen (15) days' notice of the date, time, and place of the hearing. The hearing will be scheduled to provide a reasonable opportunity for both the Board and the Owner to attend. Pending the hearing, the Association may continue to exercise its other rights and remedies for the violation, as if the declared violation were valid. The Owner's request for a hearing suspends only the levy of a fine. The hearing will be held in a closed or executive session of the Board. At the hearing, the Board will consider the facts and circumstances surrounding the violation. The Owner may attend the hearing in person, or may be represented by another person or written communication. No audio or video recording of the hearing may be made. The minutes of the hearing must contain a statement of the results of the hearing and the fine, if any, imposed. A copy of the violation notice and request for hearing should be placed in the minutes of the hearing. If the Owner appears at the meeting, the notice requirements will be deemed satisfied.

6. Levy of Fine. Within thirty (30) days after levying the fine, the Board must give the Owner notice of the levied fine. If the fine is levied at the hearing at which the Owner is actually present, the notice requirement will be satisfied if the Board announces its decision to the Owner at the hearing. Otherwise, the notice must be in writing. In addition to the initial levy notice, the Association will give the Owner periodic written notices of an accruing fine or the application of an Owner's payments to reduce the fine. The periodic notices may be in the form of monthly statements or delinquency notices.

7. Amount. Subject to the exceptions provided below, the following schedule of fines shall apply to violations of the Governing Documents:

First violation	Warning letter
Second violation	$100
Subsequent violations	$200

The Board of Directors reserves the right to deviate from the above fine schedule if warranted by circumstances concerning the violation, including the severity of the violation, the continuous nature of the violation, the number of subsequent violations of the same provision of the Governing Documents, etc. If circumstances warrant a variance from the schedule, the Board will document the reasons for the variance in the minutes of its meeting. The amount and cumulative total of a fine must be reasonable in light of the nature, frequency, and effects of the violation, and should be uniform for similar violations of the same provision of the Governing Documents. If the Board allows fines to accumulate, it will establish a maximum amount for a particular fine, at which point the total fine will be capped.

8. Type of Levy. If the violation is ongoing or continuous, the fine may be levied on a periodic basis (such as daily, monthly, or quarterly), beginning on the Start Date. If the violation is not ongoing, but is instead sporadic or periodic, the fine may be levied on a per occurrence basis.

9. Collection of Fines. The Association is not entitled to collect a fine from an Owner to whom it has not given notice and an opportunity to be heard. The Association may not foreclose its assessment lien on a debt consisting solely of fines. The Association may not charge interest or late fees for unpaid fines.

10. Amendment of Policy. This policy may be revoked or amended from time to time by the Board. This policy will remain effective until ten (10) days after the Association delivers to an Owner of each Unit notice of amendment or revocation of this policy. The notice may be published and distributed in an Association newsletter or other community-wide publication.

SECRETARY'S CERTIFICATE

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

The undersigned, W. Thad Holt, qualified and acting Secretary of The Parke at Travis Country Condominium Owners Association, Inc., a Texas non-profit corporation (the "Association"), hereby certifies on behalf of the Association that the Parke at Travis Country Condominiums Fine And Enforcement Policy, was adopted at a Board meeting by the Association's Board of Directors on June 21, 2017.

IN WITNESS WHEREOF, the undersigned has executed this certificate as Secretary on behalf of the Association on the 21 day of June, 2017.

W. Thad Holt

W. Thad Holt, Secretary

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 21 day of June, 2017, by Thad Holt [insert secretary's name], Secretary of the The Parke at Travis Country Condominium Owners Association, Inc., on behalf of said non-profit corporation.

Carol J Owen

Notary Public Signature

[Seal]

CAROL J OWEN
My Notary ID # 687689
Expires May 12, 2021



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS
July 12 2017 08:32 AM
FEE: $ 46.00 **2017110903**