



Bonita Oaks Ranch Property Owners Association

Nocona, TX

www.bonitaoakspoa.com

Policy and Enforcement of the CCRs

The Declarations of Covenants, Conditions, and Restrictions (CCRs) establish the rules and obligations for both the owners and the Association. Their purpose is to protect, preserve, and enhance property values. The CCRs also give the Association the authority to enforce restrictions and institute a policy regarding fines for violations.

Property owners should understand and adhere to the legally binding requirements outlined in the CCRs. The goal is voluntary compliance. In the Bonita Oaks Ranch community, when a violation is noted, it is the intent to always resolve it quickly without any fines imposed. If you cannot comply with a **requirement or receive a violation notice, contact the Board or Management Company immediately to work towards a solution.**

Notices And Fines

The POA's intent is to resolve any violations in the most expedient and neighborly way possible while maintaining the integrity of the CCRs. The board or their management company will contact the property owner with details of the violation, including pictures if possible. **The notice will include deadlines for correction and an explanation of the process and possible fines.** The Board may extend deadlines or reduce fines if extenuating circumstances exist. The owner must notify the board or their Management Company (MC) if applicable when the issue is cured. Unless a violation poses an imminent health or safety risk, the following process will be executed or as required per Texas state law:

Enforcement Process	Deadline	Fine
<p>1st Offense: Courtesy Warning with Deadline to Be Cured</p> <ul style="list-style-type: none"> Board/MC utilizes the most efficient way(s) to contact the property owner, which may be a phone call, email, personal visit, letter, etc. to discuss the violation and timeline for cure. No fines are yet assessed. It is critical that the property owner engage the Board/MC to discuss within 7-14 days of the date of the notice. Almost all issues are resolved in this initial phase. 	7-14 days from the date of notice	None
<p>2nd Offense: Formal Notification with Fine If Not Cured</p> <ul style="list-style-type: none"> If the issue is not corrected (cured) by the courtesy deadline, the Board/MC will send formal notice via certified mail. Deadline is typically 7-14 days depending on the urgency of the situation and type of violation. A reasonable amount of time will be given depending on the type of violation. If the issue is not cured by the new deadline as noted in the notice, a fine will be imposed. 	As stated in the notice from the date of notice	<p>\$50</p> <hr/> <p>Mowing fees will be as quoted by the mowing contractor</p>
<p>3rd and Additional Offenses: The property owner may be fined each additional time period for which the issue remains unresolved. Similar violations within a 6-month period are considered a continuation of the initial offense.</p>	7 days from previous deadline	\$50 Daily

Property Lien - If the unpaid fine balance reaches \$200 or more, a lien against the property may be filed in Montague County Court by the Association's attorney.

Fees - The owner may be billed related expenses such as certified letters, postage, and collection fees in addition to fines imposed and will be responsible for any associated legal fees.

Classes of Violations

Non-Construction

Property owners are expected to maintain landscaping and follow the other rules outlined in the CCRs. An example of a non-construction violation includes, but is not limited to, the following:

- Lot in need of maintenance (insufficient mowing/edging)

Construction

Per the CCRs: No improvements shall be constructed without prior written approval of the Architectural Control Committee. This includes any construction, other than normal maintenance, which in any way alters the exterior appearance of any improvements or the removal of any improvements. Please refer to the CCRs for a full outline of items. Examples of construction violations include, but are not limited, to the following:

- Fences, culverts, driveways, well houses, or similar structures
- Any buildings (main house, guest house, barns, etc.)
- Failure to construct improvements or modifications in accordance with the ACC approved plans, specifications, and timeline

ADDITIONAL INFORMATION

- It is the property owner's responsibility to contact the Board/Management Company in writing when the violation has been cured.
- Any previous notice sent for the same violation class within the past six months will result in progression of the same violation. If the owner has no further recurrences within six months, the violation is considered cured, and the sequence is restarted.
- **Each owner is required to keep the Association notified of a current mailing address.**
- If a fine is imposed, **the owner has 30 days from the date the notice is mailed to make a written request for a hearing with the Board to contest the fine.**
- The **property owner is responsible for expenses associated with the fine collection** (i.e., cost of certified letter) and any legal fees associated with a property lien.
- Certain property owners may have **special rights or relief related to the enforcement action** under federal law, including the Servicemembers Civil Relief Act if the owner is serving on active military duty.
- The Association will comply with all relevant MUD, county, state, and federal regulations.