

PARK SQUARE HOMEOWNERS ASSOCIATION, INC.
DECLARATION OF COVENANTS & RESTRICTIONS VIOLATION
FINE SCHEDULE EFFECTIVE July 1, 2004

**Violation
Notification
Summary**

In most cases, written notice of non-compliance will be sent to the Owner stating the violation for each occurrence of the offense. Imposition of fines may be immediate, and recurring, depending on the violation, following the Hearing Process described below. (However, 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.)

Failure to pay fines shall subject the Owner to the same potential penalties as failure to pay an assessment, *which may result in a lien on the Owner's property.*

**Hearing
Process**

The following process shall be used for Park Square Homeowners Association, Inc.

Any request for hearing that does not comply with the process detailed below 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 Park Square HOA Board at the following address: Park Square Homeowners Association, Inc. c/o Armor Management Group P.O. BOX 8788 Houston, TX 77249-8788
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 for a hearing. 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.

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FINE SCHEDULE EFFECTIVE July 1, 2004, Continued

Pursuant to Article V, Section 5.3 of the Declaration of Covenants & Restrictions for Park Square, the Park Square HOA Board has the right to set rules and regulations, and impose fines if necessary to achieve compliance. Only the Park Square HOA Board has the right to impose or waive any of the fines. Fines may be levied in accordance with these rules and regulations and may continue until the problem is corrected. All fines are per item.

Payment of fine amount does not grant a variance for the violation. All violations must be corrected to come into compliance. If there is a subsequent violation of the same rule the fine amount will double with each subsequent violation. Failure to pay all fines shall subject the Owner to the same potential penalties and legal remedies as failure to pay assessments. The Owner of the home will be responsible for any fines assessed on the property. It will be the Owner's responsibility to pursue reimbursement of the fines from the renter(s).

FINE SCHEDULE:

- ❖ Unauthorized "For Lease/For Rent" signs, after 2nd notice given \$25/day
- ❖ Decorations displayed for more than 30 days after holiday \$50/occurrence
- ❖ Property used for storage (boats, vehicles, trailers, etc) \$25/day
- ❖ Long-term parking and storage of vehicles in the street, which applies to any vehicle that has not been moved for more than 3 days)..... \$25/day
- ❖ Trashcans¹ left in public view, after 2nd notice given\$50 initial fine/\$10/day
- ❖ Prohibited animals, reptiles, livestock, poultry and birds\$25/day
(*Except in instances where animal has been deemed "dangerous" by the Park Square HOA Board, in which case, Park Square HOA Board Resolution² applies)
- ❖ 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
- ❖ Modification, addition or alteration made to property when approval from Modifications Committee is required\$100/month
(*Except in instances where the modification, addition or alteration is prohibited by the Declaration of Covenants & Restrictions for Park Square, in which case Park Square HOA Board Resolution³ applies)
- ❖ Modification not in accordance with approved plans \$100/month
- ❖ Littering in Park Square, including but not limited to, trash, dog feces, etc \$25/occurrence
- ❖ Unauthorized dumping of garbage, trash, junk or other waste \$50/occurrence
- ❖ Unauthorized storage of materials on Townhome Site\$50/occurrence
- ❖ Dogs off the leash after the 2nd violation letter..... \$25/occurrence

¹ Trashcans may be placed at curb after 6:00 p.m. on Monday and Thursday for pick-up on Tuesday and Friday; and they should be removed from public view, no later than 8:00 a.m., on Wednesday and Saturday.

² Resolution regarding Dangerous Animals dated May 26, 2004.

³ Resolution regarding Prohibited Modifications dated June 2, 2004.

FINE SCHEDULE EFFECTIVE July 1, 2004, Continued

Notice Process

Notice of violations of the governing documents or rules shall be given as follows:

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 30 days. No fine.
2	<p>If the violation has not been resolved after the initial 30 day period, a second notice requesting compliance within a specified period of time (dependent upon the violation) will be sent via Certified Mail, Return Receipt Requested, to the Owner. The Owner will be given a description of the violation or property damage, which is the basis for the proposed fine, as well as notice for the amount of the fine that will be imposed after the date of non-compliance. In some instances, the Owner will be advised of his/her right to a hearing before the Park Square HOA Board, dependent upon the violation.</p> <p>The scheduled fine will be assessed and due after the period of non-compliance or after the date of the hearing/date the hearing is forfeited.</p>
3	<p>A third notice requesting immediate compliance shall be sent to the Owner, within 3 days of non-compliance pursuant to second notice, via Certified Mail, Return Receipt Requested.</p> <p>The scheduled fine will be assessed, per second notice and due within 30 days following the third notice.</p>
4	<p>If the violation continues without resolution after the third notice:</p> <ul style="list-style-type: none">○ 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 and collected in the same manner as assessments.○ The Board may re-impose an additional fine every 30 days until the violation is corrected.

* Daily fines will be assessed on a daily basis following the expiration of the hearing process.

**Park Square Homeowners Association, Inc.
c/o Armor Management Group
P.O. BOX 8788
Houston, Texas 77249-8788**

RESOLUTION ADOPTING FINE SCHEDULE

The Board of Directors of Park Square Homeowners Association, Inc. does hereby make the following resolutions. It is hereby

RESOLVED: The Association hereby adopts the attached DECLARATION OF COVENANTS & RESTRICTIONS VIOLATION FINE SCHEDULE for Park Square Homeowners Association, Inc.

IN WITNESS WHEREOF, the undersigned have executed this consent as of this ____ of June, 2004.

Stacci Hamilton, President

Drew Dean, Vice-President

John O'Neill, Secretary/Treasurer