

**HARRIS VILLAGE OWNERS ASSOCIATION  
P.O. Box 9012  
Waco, Texas 76710**

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Sent via: USPS 1st Class Cert. Mail RRR: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

**Re: Tex. Prop Code Sec. 209.006-NOTICE OF ENFORCEMENT ACTION**

Greetings Neighbor,

You are receiving this letter—in accordance with Texas Property Code Section 209.006, which requires the Association to provide you Notice of Enforcement Action—because your Property is currently in violation of the below indicated Deed Restrictions of Harris Village Owners’ Association’s Declaration of Restrictive covenants.

You are entitled to a reasonable period—as determined by the Association’s Board—to cure or correct the violation herein, said time period is herein provided and if the violation is cured or corrected by that time, no fine, charge or other enforcement action will be taken or applied. However, failure to cure the referenced violation will result in a fine being applied in accordance with the fine schedule attached hereto.

**VIOLATION: Section 19 Violation:** Each owner is responsible for the maintenance and upkeep of their fence to meet the standards set forth in Section 19, attached hereto, and unfortunately your fence needs maintenance. Please review notes below explaining what needs to be fixed and correct the issue in question in accordance with said notes and the requirements of Section 19 within the time prescribed herein to avoid unnecessary fines and additional enforcement actions being taken against your property.

**Time to Cure: \_\_\_\_\_ days**

Additional Notes: \_\_\_\_\_

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Please visit our website to review the Deed Restriction(s) at issue, the fine Schedule and other useful documentation in greater detail, [harrisvillagesub.com](http://harrisvillagesub.com).

Please note that you have the right to request a hearing on this matter, you must make such a request on or before the 30th day after the date this notice was mailed. Should you fail to cure or correct the violation in the time provided or should you repeat the violation you are hereby notified that you are liable for any and all attorney’s fees, court costs and/or other collection costs associated with further enforcement actions and that such fees will begin to accrue: the 31st day after the date this notice was mailed; or, the day immediately following the conclusion of a hearing regarding this violation/fine, should you properly request a hearing.

Further, please be aware that you may have special rights or relief related to this enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. Section 501 et seq.), if you, the owner are serving on active military duty.

The Deed Restrictions—and the fines that are applied for violating them—are not enforced to be punitive, rather the Association enforces these Restrictions to protect the home value of all its Members and the most efficient way to do so is to uniformly, expeditiously, and effectively enforce the Association’s Deed Restrictions.

We appreciate your time, your consideration for your neighbors and we thank you for being a valued member of this community. We hope this letter finds you well,

Sincerely,

Harris Village Home Owners Association

A Texas Non-Profit Owners Association

**Pertinent Deed Restriction:**

**19. FENCES, WALLS, AND MAILBOXES**

No fence, wall, or any other structure shall be erected, added or placed on any lot nearer to any front lot line than the nearest front corner of the residential dwelling, unless approved by the Committee. All fences, walls and mailboxes shall be of a nature and quality so as to be harmonious with, and enhance, and not detract from the general appearance of the Subdivision and must be approved in writing by the Committee prior to construction. Each individual lot owner is responsible for keeping, repairing, replacing and maintaining any existing fence or wall that is on the owner’s lot or adjacent right-of-way. All fences will be made of cedar with metal post, unless otherwise approved by the Committee. Cyclone fences are allowed only if fully screened from public view (ie. “dog runs”); however, any and all such cyclone fences and the use thereof must first be approved in writing by the Committee. Fences may be reasonably stained to enhance natural appearance but are not to be painted unless approved by the Committee. The “good side” of the fence (that is, the side that shows the fence slats or pickets only) shall always face the public street closest to such fence. Final approval and its facing shall be at full discretion of the Committee.

| <b>FINE SCHEDULE:</b>                     |             |             |             |             |              |
|---|-------------|-------------|-------------|-------------|--------------|
| <b>Notified Violation:</b>                | <b>1st:</b> | <b>2nd:</b> | <b>3rd:</b> | <b>4th:</b> | <b>5th+:</b> |
| <b>Failure to pay year assessments:</b>   | \$50.00     | \$75.00     | \$125.00    | \$175.00    | \$225.00     |
| <b>Failure to pay special assessments</b> | \$50.00     | \$75.00     | \$125.00    | \$175.00    | \$225.00     |
| <b>Nuisance Violation:</b>                | \$50.00     | \$75.00     | \$125.00    | \$175.00    | \$225.00     |
| <b>Failure to mow yard:</b>               | \$50.00     | \$75.00     | \$125.00    | \$175.00    | \$225.00     |
| <b>Failure to plant trees/shrubs:</b>     | \$50.00     | \$75.00     | \$125.00    | \$175.00    | \$225.00     |

|   |            |             |              |              |                 |
|---|------------|-------------|--------------|--------------|-----------------|
| <b>Failure to maintain trees/flowerbeds/shrubbery:</b>  | \$50.00    | \$75.00     | \$125.00     | \$175.00     | \$225.00        |
| <b>Improper parking of vehicles:</b>  | \$50.00    | \$75.00     | \$125.00     | \$175.00     | \$225.00        |
| <b>Improper garbage/refuse maintenance/disposal:</b>  | \$50.00    | \$75.00     | \$125.00     | \$175.00     | \$225.00        |
| <b>Signage Violation</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Livestock violation:</b>   | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Failure to maintain building:</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Inoperative vehicle</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Improper storage of materials:</b>   | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Fence violations:</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Failure to obtain Architectural Control Committee Approval:</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Discharge of firearms/fireworks:</b>   | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Improper antennae:</b>   | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Violation of Section 15 of the Declaration:</b>  | \$75.00    | \$125.00    | \$175.00     | \$225.00     | \$300.00        |
| <b>Miscellaneous deed restriction violations (violations of deed restrictions provided not listed above):</b> | \$50-75.00 | \$75-125.00 | \$100-175.00 | \$125-225.00 | \$225.00-300.00 |

**Note:** these fines are cumulative. So if, for example, Member 1 improperly parks in the street, receives notice, and then violates this restriction three more times the total amount Member 1 will owe will be for the three violations following notice, so \$250.00 (Notice + 1st violation \$50.00 + 2nd violation \$75.00 + 3rd violation \$125.00 = \$250.00).