

**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 15: Unfortunately you have failed to maintain your yard in a manner consistent with a well-maintained attractive neighborhood, as required by Section 15, by allowing excessive weeds, grass and/or debris to build up in your flowerbeds. Accordingly, please remove the weeds, grass and/or debris from the flowerbeds within the time prescribed herein to avoid unnecessary fines and additional enforcement actions being taken against your property.

Time to Cure: _____ days

Additional Notes: _____

Please visit our website to review the Deed Restriction(s) at issue, the fine Schedule and other useful documentation in greater detail, 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:

15. MAINTENANCE OF BUILDING SITES AND LOTS

All building sites and lots, whether improved or unimproved, shall be kept in a sanitary and attractive condition and shall in no event be used for storage of material and equipment except for normal residential requirements incidental to construction improvements thereon as herein permitted. No owner of any lot shall permit the accumulation or burning of garbage, trash or rubbish of any kind thereon.

Those portions of each improved lot that are visible from the street, primarily the front yard, shall be maintained with domestic grass and/or suitable ground cover, integrated with any natural trees and bushes that may be incorporated into the landscaping. Each home owner shall plant on live/red oak tree, approved by the Committee, and 12 shrubs on the front yard of each lot and shall maintain such tree and replace tree if it dies with a live/red pack, approved by Committee, with a minimum circumference of 3 inches. In any case, whether a yard is primarily covered with grass and/or ground cover or largely with natural growth, the yard shall be kept in a manner consistent with a well-maintained attractive neighborhood.

If the owner of any lot fails to keep the grass and vegetation cut as often as may be necessary to maintain the lot in a neat and attractive condition, or replace a live/red oak or shrub which has died, the Committee may have the grass or vegetation cut or replace the dead oak or shrub, and the owner shall be obligated to pay, or otherwise reimburse the Committee, for the cost of such work. Such obligation shall be secured by the Vendor’s Lien retained herein below. By acceptance of the grant deed, each owner in the Subdivision grants to the Committee authority t enter upon such owner’s property without threat of trespass or other liability against the Committee excepting misconduct by the Committee, its officers, employees and agents...

FINE SCHEDULE:					
Notified Violation:	1st:	2nd:	3rd:	4th:	5th+:
Failure to pay year assessments:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Failure to pay special assessments	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Nuisance Violation:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Failure to mow yard:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Failure to plant trees/shrubs:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Failure to maintain trees/flowerbeds/shrubbery:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Improper parking of vehicles:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Improper garbage/refuse maintenance/disposal:	\$50.00	\$75.00	\$125.00	\$175.00	\$225.00
Signage Violation	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Livestock violation:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Failure to maintain building:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Inoperative vehicle	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Improper storage of materials:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Fence violations:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Failure to obtain Architectural Control Committee Approval:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Discharge of firearms/fireworks:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Improper antennae:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Violation of Section 15 of the Declaration:	\$75.00	\$125.00	\$175.00	\$225.00	\$300.00
Miscellaneous deed restriction violations (violations of deed restrictions provided not listed above):	\$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).