

PUEBLO CONDOMINIUMS OWNERS' ASSOCIATION ENFORCEMENT POLICY

This enforcement policy was created in compliance with Texas Property Code, Chapter 209, Section 209.0061 and its purpose is to provide Owners information regarding the levying of fines by the property owners' association. This enforcement policy includes general categories of restrictive covenants for which the association may assess fines, a schedule of fines for each category of violation and, information regarding hearings described by Section 209.007. This enforcement policy reserves the board's authority to levy a fine from the schedule of fines that varies on a case-by-case basis.

- A) Owners with violations will receive a letter from Dana Properties describing the alleged violation along with a reminder of the Rule being violated. This letter shall be referred to as a Warning Letter and will include the fining schedule of the related category and information on how to rectify or correct the violation, if applicable.
 - 1) If the violation can be rectified, the Owner will have no less than 1 day and not more than 10 days from the date of the letter to do so. The date will be identified in the letter so there is no confusion by the Board or the Owner as to when the violation must be rectified by. Owners will notify Dana Properties upon the correction of any alleged violation so that the Board may verify the correction.
- B) If the violation is not handled properly by the Owner within the time provided, then a Violation Letter will be sent stating the violation again along with the request that the violation be corrected in 5 days from the date of the letter. The 5th day will be identified in the letter so there is no confusion by the Board or the Owner as to when the violation must be rectified by. This Violation Letter will also state the fact that a fine will be levied against the Owner according to the fining schedule outlined below.

A violation of the Governing Instruments and/or Rules for the Project (Pueblo Condominiums) that is not fitting of a specified category will be fined according to the schedule under Miscellaneous category.

If a violation of the same category has been issued to an Owner within the preceding 12-month period, the next higher violation in that category will apply, however, any fines issued prior to January 1, 2024 will not constitute a previous violation in any category.

If the Owner fails to correct the violation and pay associated fines, then a fourth and final letter will be sent to the Owner notifying them that a lien is being placed against the property along with the additional attorney's fees and associated costs.

Parking and Vehicles

- First Violation: Warning Letter, 1-7 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given up to a maximum of \$300.
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Flammables

- First Violation: Warning Letter, 1 day
- Second Violation: \$150 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$250 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Construction

- First Violation: Warning Letter

- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Traffic Regulations

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$150 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Decorating Terraces/Balconies

- First Violation: Warning Letter, 5 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Garbage

- First Violation: Warning Letter, 1 day
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given up to a maximum of \$300.
- Third/Continuous: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Pets

- First Violation: Warning Letter, 1-3 days when applicable
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given up to a maximum of \$300.
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Ventilation and Air Conditioners

- First Violation: Warning Letter, 7 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Deliveries

- First Violation: Warning Letter
- Second Violation: \$75 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$100 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Water Outlets

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Use of Roofs

- First Violation: Warning Letter
- Second Violation: \$150 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$250 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Satellite Dishes and Antennas

- First Violation: Warning Letter, 7 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Storage Space

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Cooking on Porches and Private Patios

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Landscaping

- First Violation: Warning Letter, 5 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Signs and Exterior Attachments

- First Violation: Warning Letter, 10 days
- Second Violation: \$200 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given

- Third/Continuous Violations: \$300 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Uniformity

- First Violation: Warning Letter, 10 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$150 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Nuisance

- First Violation: Warning Letter, 2 days when applicable
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Noise

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Obstruction

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Window Coverings

- First Violation: Warning Letter
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

General Occupancy

- First Violation: Warning Letter
- Second Violation: \$300 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$400 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

State of Maintenance

- First Violation: Warning Letter, 5 days
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Miscellaneous

- First Violation: Warning Letter, 10 days when applicable
- Second Violation: \$100 fine and an additional fine of \$10 per day for every day of non-compliance after notice has been given
- Third/Continuous Violations: \$200 fine and a continuing fine of \$20 per day for every day of non-compliance after notice of fine has been given up to a maximum of \$1800.

Except as provided by Subsection (d) of the Texas Property Code, Chapter 209, Section 209.007, and only if the owner is entitled to an opportunity to cure the violation, the owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the board.

The association shall hold a hearing not later than the 30th day after the date the board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. 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. Additional postponements may be granted by agreement of the parties. The owner or the association may make an audio recording of the meeting.

Not later than 10 days before the association holds a hearing under this section, the association shall provide to an owner a packet containing all documents, photographs, and communications relating to the matter the association intends to introduce at the hearing. If the association does not provide a packet within the period described, an owner is entitled to an automatic 15-day postponement of the hearing.

During a hearing, a member of the board or the association's designated representative shall first present the association's case against the owner. An owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

An owner or property owners' association may use alternative dispute resolution services.

A copy of this enforcement policy will be posted on an internet website maintained by Dana Properties who is the managing agent of Pueblo Condominiums.