



Action Property Management, Inc.
11118 Cypress N. Houston Rd
Houston, Texas 77065
713.686.4692 Fax 713.686.4694
www.actionproperty.net



November 5, 2018

CYPRESS TX 77429

Dear White Oak Springs Homeowner,

We want to thank the Board of Directors for the opportunity to allow us to manage your subdivision. We are Action Property Management, Inc., the new management company for White Oak Springs Homeowners Association as of October 1, 2018.

Action Property Management, Inc. provides management services that consist of billing and collection of the annual assessments, budgeting, disbursements, maintenance and management of all contracts, the compliance of deed restrictions and the architectural controls for the subdivision.

Action Property Management will begin the deed restriction drive through inspection the week of November 5th. Please take a look at your home and property to make sure you are in compliance with the deed restrictions. If you are not sure of what constitutes a violation, you will be able to log on to www.actionproperty.net and select White Oak Springs from the right hand pull down menu to access all the governing documents – Articles of Incorporation, By-Laws, Deed Restrictions, Guidelines, Architectural Control form and any other pertinent documents, policies and procedures set forth to operate the Association efficiently. Enclosed is a copy of the deed restriction enforcement policy.

What is an AC form? An AC form stands for Architectural Control which is needed before making any exterior changes to the home such as a new fence, deck, patio, landscaping, painting of the home, etc. Please make sure to fill out an AC form and return it to Action Property Management before you begin any home projects. You will be able locate this form on our web site at www.actionproperty.net and select White Oak Springs page. Make sure to fill it out in its entirety and mail it along with all pertinent samples and documentation to Action Property Management at 11118 Cypress N Houston Rd, Houston, Texas 77065 or bring it by the office.

If you have any questions, complaints, ideas or suggestions, please contact us via the telephone at 713.686.4692, the fax at 713.686.4694, or via our e-mail address at apm@actionproperty.net. Our doors are open from 10:00 a.m. to 6:00 p.m. Monday through Thursday and 10:00 a.m. to 4 p.m. on Fridays. Remember that we are here to help your community in any way possible.

We appreciate this opportunity to serve you. We pride ourselves on the quality of our work and continually strive to merit the confidence placed in us by our client communities.

Sincerely,
Action Property Management, Inc.
Lee F. Waldheim, President

White Oak Springs Homeowners Association, Inc.

DEED RESTRICTION ENFORCEMENT POLICY

PURPOSE

This policy establishes a uniform methodology for enforcing deed restrictions within the White Oak Springs Homeowners Association Inc.

SCOPE

This policy applies to all members of the White Oak Springs Homeowners Association Inc. (HOA), which are subject to the Declaration of Covenants, Conditions, and Restrictions for White Oak Springs Homeowners Association Inc., a subdivision in Harris County, Texas and any Amendments and guidelines thereto:

REFERENCES

White Oak Springs Homeowners Association Inc. Covenants, Conditions & Restrictions.

White Oak Springs Homeowners Association Inc. By-Laws.

All other governing documents for White Oak Springs Homeowners Association Inc., including but not limited to any published rules, regulations, guidelines, and resolutions.

Texas Property Code Chapter 209- Residential Property owner's Protection Act.

DEFINITIONS

Deed Restriction: The Architectural Control provisions, maintenance and repair provisions, and use of restrictions provisions in the Conditions and Restrictions of White Oak Springs Homeowners Association Inc.

Inspector: A person officially appointed to make inspections and report to designated members of the White Oak Springs Homeowners Association Inc. Board of Directors, the Architectural Control Committee members, or other designees. The Inspector may be designated by the Board of Directors, the Architectural Control Committee, or the property management company.

Maintenance: To repair, replace, or otherwise return to an operational, functional, and aesthetically pleasing condition.

Violation: An act or condition, willful or not, by property owners or tenants, that causes a property or its improvements to be in non-compliance with the Deed Restrictions of White Oak Springs Homeowners Association Inc.

POLICY

The policy for enforcement of Deed Restrictions by the White Oak Springs Homeowners Association Inc. (the 'Association') is as follows:

Owner's Address:

Each home owner is responsible for notifying the Association, in writing, at all times, of any changes in their mailing address. Inspector or his designee has the authority to automatically order a title search, at the owner's expense, whenever mail sent to the owner by the Association is returned by the post office as undeliverable. The inspector can do the same if they believe the ownership of the affected property has changed. Any costs incurred by the Association in determining or attempting to determine the ownership of a property and then locating the owner the property shall become charges due against the owner's lot. Deed Restriction violation enforcement shall not cease solely because notices are returned by the post office.

Notification:

Following a Deed Restriction inspection, a resident in violation of the Deed Restrictions shall receive notification of the violation as follows:

First Letter:

Upon identification of a violation, a letter shall be sent via regular mail to notify the owner and tenant (if applicable) of the violation of the Deed Restrictions and to request correction of the violation within a reasonable time period.

It is the responsibility of the owner and tenant (if applicable) to notify the property management company if extenuating circumstances exist, if additional time to correct the violation is necessary, or if additional information is needed or desired.

Second Letter:

Upon a 2nd inspection without resolution, a second letter shall be sent, certified mail and regular mail, to notify the owner and the tenant (if applicable) of the continuing violation of the Deed Restrictions, and to request correction of the violation.

This certified letter shall include:

1. A description of the violation
2. A notice to the owner that they are entitled to a 'reasonable' period to cure the violation and that attorney fees and costs will be charged if the violation continues.
3. A notice to the owner that they may request a hearing on or before the thirtieth (30) day after the date the owner receives the notice.
4. A notice of a \$25.00 (if a homeowner) and a \$35.00 (if an absentee property owner) charge will be assessed to the owner's account if the violation still exists upon the next inspection.
5. Language to indicate that, if a hearing is not requested and the violation is not cured by the thirtieth (30) day, all attorney fees, related expenses, and cost incurred by the Association shall be charged to the owner's account.

Third Letter:

Upon a 3rd inspection without resolution, a letter shall be sent regular mail to notify owner and tenant (if applicable) of the failure to correct the violation and to request correction of the violation.

The owner will be advised that a \$25.00 or \$35.00 charge has been assessed to their account if the violation exists after the designated date in the letter and no hearing has been requested.

The letter will further advise that it is the intent of the Association to turn the violation over to the Association's attorney, if not corrected, and that all attorney's fees and costs incurred will be charged to the owner's account.

Owner and tenant (if applicable) will be advised to notify the property management company if extenuation circumstances exist, if additional time to correct the violation is necessary, or if further information is needed.

Owner and tenant (if applicable) will be given the opportunity to be heard at the next regular meeting of the Board of Directors for the White Oak Springs Homeowners Association Inc.

Board of Directors Hearing:

The Board will make a determination as to whether the violating owner is to be turned over to the Association's attorney following either the hearing requested by the owner or the deadline expiration to request such a hearing. The Board of Directors of White Oak Springs Homeowners Association Inc. has the discretion to consider special circumstances applying to the owner and tenant (if applicable).

If a hearing has been requested, the Board of Directors must make arrangements for it to be held no later than thirty (30) days after the date that the Board or the property management company receives a written request.

The owner must be notified of the date, time, and place for the hearing no later than ten (10) days prior to the hearing date.

Either party may request a ten (10) day postponement and additional postponements may be made by mutual agreement.

Fourth Letter:

Upon a fourth inspection without resolution, a letter will be sent notifying the owner of the Board of Directors' decision as to the action that will be taken to remedy the violation. There will be an additional charge of \$25.00 or \$35.00 applied to the owner's account. A statement of charges will be mailed to the last known address as reflected in the Association's records.

Demand Letter:

If the violation is referred to the Association's attorney for a demand letter, the violation will remain on the inspection list until final resolution of the violation. A photograph may be taken of the violation on any inspection thereafter, if required by the Association's attorney.

Once the Board of Directors has referred the violation to the attorney, no further correspondence or communication is to be made to the Board of Directors or the property management company.

Any and all attorney fees associated with the Demand for violation correction and collection of the associated fees shall be imposed on the owner's account and immediately becomes eligible for collection.

Recurring Violator:

The Board of Directors has the discretion to impose a fine immediately upon written notice of a similar violation within six (6) months of the original violation, so long as the owner received the third notice letter. The recurring violator is not entitled to an opportunity to avoid the fine by curing the violation. The fine for recurring violation shall be no greater than \$50.00.

Force Maintenance:

As authorized by the White Oak Springs Homeowners Association Inc., the Board of Directors reserves the right to cure the violation, after appropriate notice, and to charge the owner for the cost of such work.

Law Suit Filing:

The Notice and Hearing provisions stated herein will not apply if the Association files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action.

Adopted this 7 day of October 2018.



Jay Hooper, President of White Oak Springs Homeowners Association Inc.



Marie Godard, Treasurer of White Oak Springs Homeowners Association Inc.

STATE OF TEXAS §
§
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Jessy Hooper, Director of White Oak Springs Homeowners Association Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 7 day of October, 2018.

Rebecca McGeary

Notary Public, State of Texas

Rebecca McGeary

Printed Name

My commission expires: 10.23.2018

[Notarial Seal]



STATE OF TEXAS §
§
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Marie Godard, Director of White Oak Springs Homeowners Association Inc., a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 7 day of October, 2018.

Rebecca McGeary

Notary Public, State of Texas

Rebecca McGeary

Printed Name

My commission expires: 10.23, 2018

[Notarial Seal]

