

**DEED RESTRICTION VIOLATION POLICY**  
**REGENCY POINT TOWNHOME ASSOCIATION**

The Association will follow the procedures outlined below in the enforcement of deed restriction violations, unless in their absolute discretion a variance from this procedure is approved by the Board or by an Officer of the Board.

1. After notice of a violation of the Declaration of Covenants, Conditions and Restrictions (“**Declaration**”), except for delinquent payment of assessments which is covered by another Board Policy, the Association, or its management company, shall send out a first notice letter to the homeowner, giving a reasonable time to cure the violation. No notice is needed if the violation is such that a temporary restraining order must be sought.
2. If the homeowner fails to cure the deed restriction violation timely, then the Association, or its management company, shall send out a 30 day notice letter complying with all of the requirements of the Texas Property Code (“**TPC**”) for such notice found in Section 209.006.
3. The 30 day notice letter shall advise that fines shall be levied only after compliance with the TPC, Section 209.006. Fines are authorized by the TPC, Section 204.010.
4. The Fine Schedule for Deed Restriction Violations is recorded in the Official Public Records of Real Property of Montgomery County, Texas, and may be amended from time-to-time by the Board of Directors in their complete discretion.
5. If the homeowner fails to cure the deed restriction violation timely, then the Association may turn over this deed restriction violation matter to its attorneys for further action. If possible, photos of the violation and copies of all communications to or with the owner will be sent to the attorneys as well.
6. The Association’s attorneys are instructed to send an initial demand letter to the owner to cure the deed restriction violation and to pay the Association’s attorneys’ fees and expenses associated with turning the matter over to the attorneys.
7. If the homeowner fails to cure the deed restriction violation timely and fails to pay the fines, attorneys’ fees and expenses incurred, the Association’s attorneys are instructed to file suit seeking an injunction to enforce the deed restriction violated and to seek the Association’s full civil damages and remedies including its attorneys’ fees and expenses. This shall be considered a standing instruction to the Association’s attorney without the need for any additional written authorization to proceed.
8. If owner cures the violation but does not pay fines, attorneys’ fees and expenses, the Association’s attorneys are instructed to seek full payment or suit may be filed or continued.


9. The Board has the discretion to alter the above time tables and instructions if there are extenuating circumstances to do so. The Association's attorneys are instructed to make all reasonable efforts to contact and to discuss the deed restriction violation with the owner.

This is to certify that the foregoing Deed Restriction Violation Policy was adopted by the Board of Directors by unanimous consent, effective as of June 11, 2012, until such date as it may be modified, rescinded or revoked.

The Board of Directors hereby approves and authorizes the above Policy.

Signed this 11 day of June, 2012.

**REGENCY POINT TOWNHOME ASSOCIATION, INC.**

By:   
LOREN F. VOGEL, President

**FILED FOR RECORD**

06/28/2012 3:25PM



COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number  
sequence on the date and at the time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

**06/28/2012**



County Clerk  
Montgomery County, Texas