

GOVERNING DOCUMENTS ENFORCEMENT AND FINE POLICY
for
THE BRIARGROVE DRIVE TOWNHOUSE CONDOMINIUM ASSOCIATION

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

I, MICHAEL PANZA, President of The Briargrove Drive Townhouse Condominium Association (the "Association"), certify that at a meeting of the Board of Directors (the "Board") of the Association duly called and held on the 21st day of JULY, 2022, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Governing Documents Enforcement and Fine Policy was approved by not less than a majority of the Board members in attendance.

RECITALS:

1. Section 14 of the Condominium Declaration for Briargrove Drive Townhouses (the "Declaration") grants to the Association the power and authority to enforce all covenants, conditions and restrictions set forth in the Declaration.
2. Article VI, Section 3 (b) of the By-Laws of the Association, which are attached to the Declaration, grants to the Board of the Association the authority to enact rules and regulations for the operation, use and occupancy of the Briargrove Drive Townhouses.
3. Section 82.102(a)(12) of the Texas Property Code grants to the Board of Directors of the Association the authority to impose reasonable fines for violations of the governing documents.
3. Section 82.102(d) of the Texas Property Code sets forth notice requirements prior to the commencement of enforcement action, including the imposition of fines.
4. The Board of Directors desires to adopt a policy relating to the enforcement of the Declaration and the other governing documents of the Association consistent with Section 82.102 of the Texas Property Code and in the Declaration.
5. This Policy supersedes and replaces any previously recorded fine and enforcement policy.

ENFORCEMENT AND FINE POLICY:

1. **Definitions:** Capitalized terms used in this policy have the following meanings. Other capitalized terms used in this policy but not defined herein have the same meanings as that ascribed to them in the Declaration.
 - (i) **Board or Board of Directors** - The Board of Directors of the Association.

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- (ii) **Declaration** - Condominium Declaration for Briargrove Drive Townhouses recorded in the Condominium Records of Harris County, Texas under Vol. 11, Page 128, et seq., and any other applicable amendments, annexations or supplements not included and any future amendments, annexations or supplements.
 - (iii) **Governing Documents** - The Declaration, the Articles of Incorporation, the Bylaws, all guidelines and policies applicable to the Condominium, and the rules and regulations of the Association adopted by the Board and recorded in the Condominium Records of Harris County, Texas and Official Public Records of Real Property of Harris County, Texas.
 - (iv) **Condominium** - means Briargrove Drive Townhouses, a condominium regime in Harris County, Texas.
2. All Owners are responsible for assuring that their tenants, guests and invitees comply with the provisions of the Governing Documents of the Association. In the event an Owner, tenant, guest or invitee of an Owner's Unit violates any of the provisions of the Governing Documents, the Association, through its Board of Directors, shall have the authority to impose a fine upon the Owner of the Unit for each violation. The rate of the fines is set forth in No. 9 of this Policy.
 3. Upon determining that a violation of the Governing Documents of the Association has occurred, the Board of Directors shall mail or deliver a written notice to the Owner and, if applicable, the tenant of the Unit:
 - (i) describing the violation and stating the amount of the proposed fine;
 - (ii) stating that not later than the thirtieth (30th) day after the date of the notice, the Owner may request a hearing before the Board of Directors to contest the fine; and
 - (iii) allowing the Owner a reasonable time, by a specified date, to cure the violation and avoid the fine; provided, however, that if the Owner was given notice and a reasonable opportunity to cure a similar violation within the preceding twelve (12) month period, the fine may be levied immediately without giving the Owner a reasonable time in which to cure the violation.
 4. The Association must give notice of any levied fine to the Owner not later than the thirtieth (30th) day after the date a fine has been levied against the Owner. All fines will be due and payable immediately as of the date of the notice stating that a fine has been levied, regardless of whether a hearing is requested. If a fine is levied for a violation that can be cured by the Owner and the Owner does not cure the violation within the prescribed time period, the fine will be due and payable immediately on the date that the period for curing the violation ends, regardless of whether a hearing is requested. In the event an Owner requests a hearing within thirty (30) days after the date of the notice, the Board of Directors, at its discretion and after hearing all of the evidence, may determine that:

- (i) the fine is reasonable;
 - (ii) the amount of the fine should be lowered, in which case the Owner will receive a partial refund; or
 - (iii) the fine should be refunded in its entirety.
5. Any fine levied against an Owner, pursuant to the fining policy set out herein, shall become part of the assessments for which the Owner is responsible for payment, which said assessments are secured by a continuing lien in favor of the Association as provided in Section 82.113 of the Texas Uniform Condominium Act.
 6. In addition to the authority to impose fines for violations of the provisions of the Governing Documents, the Association shall have all the rights and remedies provided for in the Governing Documents or which may be available at law or in equity, including the right to file suit against any Owner and/or tenant of an Owner who has violated any term of the Governing Documents.
 7. The Owner is liable for, and the Association may collect reimbursement of, reasonable attorneys' fees and other reasonable costs incurred by the Association. Additionally, the Association may, but is not obligated to, exercise any self-help remedies set forth in the Declaration. Further, the right to use the Common Elements may be suspended.
 8. Application of Payments. All payments received by the Association may be applied in the following order, starting with the oldest charge in each category, until that category is fully paid, regardless of the amount of payment, notations on checks, and the date the obligations arose; (a) collection costs and attorneys fees; (b) fines; (c) reimbursable expenses; (d) late charges and interest; (e) delinquent special assessments; (f) delinquent monthly assessments; (g) current special assessments; (h) currently monthly assessments; and (i) all other charges.
 9. Schedule of Fines. Subject to the notice provisions set forth in this Policy, as applicable, the Association may impose monetary fines against an Owner in accordance with the below schedule until the violation is cured if of a curable nature. The time to cure a violation may vary dependent upon the violation with such determination to be within the sole and absolute discretion of the Board.

FINES FOR VIOLATIONS OF THE GOVERNING DOCUMENTS
NOT AFFECTING THE USE AND ENJOYMENT OF OWNERS

First Violation	\$ 100.00
Second Violation	\$ 200.00
Subsequent Violations	\$ 300.00

FINES FOR VIOLATIONS OF THE GOVERNING DOCUMENTS
AFFECTING THE USE AND ENJOYMENT OF OWNERS

For violations of the Governing Documents affecting the use and enjoyment of Owners, the Board may set the amount of the fine as it reasonably relates to the violation of the Governing Documents and the number of Owners affected by the violation.

The Association, acting through its Board is hereby authorized to impose lesser fines or no fine at all for violation of the Governing Documents as determined by the Board in its sole and absolute discretion. Each day that such violation continues may be considered by the Board to be a new violation.

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I hereby certify that I am the duly elected and acting President of the Association and that the foregoing Governing Documents Enforcement and Fine Policy was approved by a majority vote of the Board of Directors as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Real Property of Harris County, Texas.

TO CERTIFY which witness my hand this 21st day of July, 2022.

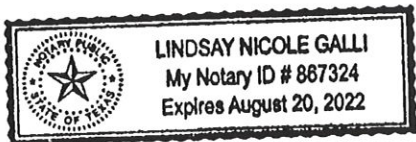
**THE BRIARGROVE DRIVE TOWNHOUSE
CONDOMINIUM ASSOCIATION**

By: Michael Panza

Print Name: MICHAEL PANZA
President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this 21st day of July, 2022 personally appeared Michael Panza, President of The Briargrove Drive Townhouse Condominium Association, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that s/he executed the same for the purpose and in the capacity herein expressed.



[Signature]
Notary Public in and for the State of Texas

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SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS
for
THE BRIARGROVE DRIVE TOWNHOUSE CONDOMINIUM ASSOCIATION

THE STATE OF TEXAS §
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The undersigned, being the authorized representative of The Briargrove Drive Townhouse Condominium Association (the "Association"), a property owners' association as defined in Section 202.001 of the Texas Property Code, hereby supplements instrument entitled "Notice of Dedicatory Instruments for The Briargrove Drive Townhouse Condominium Association" recorded in the Official Public Records of Real Property of Harris County, Texas under Clerk's File No. RP-2021-194930 (the "Notice") was filed of record for the purpose of complying with Section 202.006 of the Texas Property Code.

Additional Dedicatory Instrument. In addition to the Dedicatory Instruments identified in the Notice, the following documents are Dedicatory Instruments governing the Association.

- **Governing Documents Enforcement and Fine Policy for The Briargrove Drive Townhouse Condominium Association.**
- **Document Retention Policy for The Briargrove Drive Townhouse Condominium Association.**

True and correct copies of such Dedicatory Instruments are attached to this Supplemental Notice.

This Supplemental Notice is being recorded in the Official Public Records of Real Property of Harris County, Texas for the purpose of complying with Section 202.006 of the Texas Property Code. I hereby certify that the information set forth in this Supplemental Notice is true and correct and that the copies of the Dedicatory Instruments attached to this Supplemental Notice are true and correct copies of the originals.

Executed on this 15th day of August, 2022.

THE BRIARGROVE DRIVE TOWNHOUSE
CONDOMINIUM ASSOCIATION

By: Sipra S Boyd
Sipra S. Boyd, authorized representative

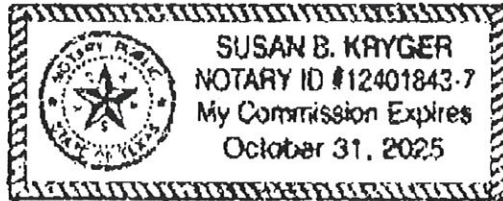
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BEFORE ME, the undersigned notary public, on this 15th day of August, 2022 personally appeared Sipra S. Boyd, authorized representative of The Briargrove Drive Townhouse Condominium Association, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and in the capacity therein expressed.



Notary Public in and for the State of Texas



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