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Ponderosa Ridge and Shady Ridge POA

✓ P.O. Box 1781 Onalaska, TX 77360 ponderosashadyridgepoa@gmail.com
ponderosashadyridgepoa.communitysite.com

VIOLATION FINES & ENFORCEMENT POLICY

The Declarations of Covenants, Conditions, and Restrictions (CCRs) of the Ponderosa and Shady Ridge Property Owners' Association allow the Association to enforce restrictions and institute a policy regarding fines.

The following policy regarding violation fines complies with both the CCRs and the required Texas Property Code notice requirements in §209:

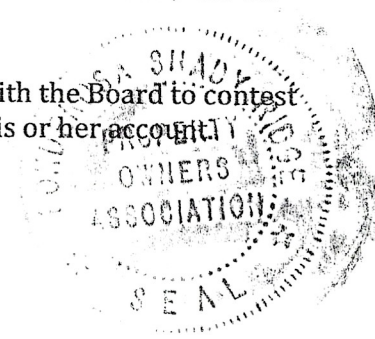
- The first citation for a violation class (i.e. Yard maintenance needed) will be mailed via regular first-class mail.
- The second citation for violation of the same class will be mailed first class mail as required by the Texas Property Code and is considered legal notice of impending fine if violation is not cured.
- The third citation for a violation of the same class will result in a \$25 fine and an additional \$15.00* charge for the certified letter will be charged to the address of the violation.
- Each further occurrence of the same class of violation will incur another \$25 fine for each violation citation and an additional \$15.00* charge for the certified letter.
- If a complaint regarding a violation is registered by a Member of the Association and this violation would result in the Owner (violator) receiving a certified notice proposing fines from the Association the member must provide fair and concise documentation of the violation. The documentation should specify the violation and note the time dated and degree of the violation if applicable. Complaints that are received without documentation and which cannot be independently observed and documented by a representative of the Board of Directors, will not be acted upon.
- If three (3) repeat violations occur within a six-month period and the violation is not cured within 10 days of the 3rd notice the matter will be referred to the Association attorney for further action. In this event the attorneys' fees and collection fees will be incurred by the Owner (Violator).

EXAMPLE OF VIOLATION CLASSES:

Three notices of 'yard maintenance needed' will result in the progression of the fines/citations. This can be any combination of mowing, edging, weed control, trash removal, junked vehicle etc. (Not three notices to mow or three notices to remove trash or a junked vehicle etc.)

The Texas Property Code allows a six-month 'look-back' period. This means any previous notice sent for the same violation class within the past six months will result in progression of the violation citation. If the owner has no further recurrences/citations of the violation class within six months, the violation is considered cured, and the violation sequence is restarted.

When a fine is assessed, the owner has 30 days to make a written request for a hearing with the Board to contest the fine. An owner will have the opportunity to contest any fine that is assessed against his or her account.



NOTE:

The Texas Property Code requires that the notice resulting in a fine and all subsequent fine notices be sent via certified mail which constitutes legal notice to the owner. Each owner is required to keep the Association notified of a current valid mailing address (one at which the owner receives certified mail without being forwarded), email address and phone number.

***A charge of \$15.00 for each certified letter mailed will be charged to the homeowner's account to which the violation is cited. The Association and other compliant homeowners should not be responsible for paying charges incurred because of another homeowner's lack of compliance with the CCRs (Declarations).**

Board approval date: March 8, 2025

Board Signatures:

EXECUTED THIS 5th DAY OF June, 2025.

Linda Strauss
Linda Strauss, President

THE STATE OF TEXAS

COUNTY OF POLK

On this day, personally appeared to me, Linda Strauss, President of Ponderosa and Shady Ridge Property Owners Association, known to me through the following method of identification: Driver's License, to be the person whose name is subscribed to the foregoing instrument, on behalf of said corporation.

Given under my hand and seal of office this 5 day of June, 2025

Brandi Johnston

Notary Public Signature, State of Texas

