

# Ridgmar Crossroads Homeowners Association

## Violation & Fining Policy

(Including Schedule of Fines)

Approved by the RCC HOA Board of Directors Jan. 21, 2024

This document is the Ridgmar Crossroads Homeowners Association (RCC HOA) Violation & Fining Policy (including schedule of fines). This document sets forth RCC HOA policy for imposing disciplinary actions for violations of the Association's governing documents, pursuant to laws of the State of Texas, City of Fort Worth Civil Code, and the Association's Deed & Declaration.

1. Authority of the RCC HOA Board of Directors. The Board of Directors, pursuant to its Deed & Declaration (D&D), has the authority to adopt and establish rules, regulations and policies governing the use of common area and facilities within the RCC community, the personal conduct of members, tenants and guests, and to take steps as it deems necessary for the enforcement of such rules and the Association's governing documents, which includes the RCC D&D.

The Board will make every effort to contact, discuss and hopefully resolve possible violations with all members prior to considering the imposition of any fine.

2. Member Responsibility. Each unit owner is a member of the Association and is responsible for complying with the governing documents cited herein. Owners are encouraged to give their tenants, if any, copies of the governing documents and of amendments and new rules as they are adopted. Owners are also responsible for ensuring their tenants, invitees, guests, and unit occupants comply with the governing documents. In the case of violations by tenants, invitees, guests, and unit occupants who are not members of the association, the RCC HOA Board will notify the unit owner. Any fines for non-compliance or reimbursement assessments will be imposed against the owner.

3. Notice. At any meeting where the Board determines whether to impose a fine or other sanctions, such as suspending any rights or privileges or levying a reimbursement assessment, the Board will attempt to notify the member of the Board's decision at least 30 days after the meeting where such a decision was made. The notification should:

- a. Identify the governing document provision that has been violated;
- b. Describe the nature of the violation;
- c. Identify the date, time, and place of the incident;
- d. Describe the corrective action to be taken by the member and the time within which it must be done (if applicable);
- e. Describe intended or possible sanction(s); and
- f. Give the member the opportunity to attend a Board meeting and to address the Board regarding the alleged violation.

If the member's failure to correct a violation results in the expenditure of funds by the Association to correct the violation, the notice shall also note the Board may vote to levy a reimbursement assessment if the Board finds that a violation has occurred. The notice shall either be given personally to a member by a Board officer or sent by first-class or certified mail to the last address for the member shown on the Association's records.

4. Imposing Disciplinary Action. The Board may impose one or more sanctions if it determines a member or his or her tenant, invitee, guest, or unit occupant has committed a violation of a particular governing document provision. This action may be imposed even if the member does not submit a verbal or written explanation to the Board. As provided in the RCC HOA D&D, disciplinary action may include suspension of HOA rights, and/or monetary penalties (i.e., fines) as follows:

a. Suspension of HOA Rights. Suspension of the member's or resident's right to use common area recreational facilities (RCC clubhouse or pool, for example) for so long as the member remains in default of any payment or for such period as may be specified by the Board if the violation involves misbehavior related to common areas.

b. Monetary Penalties, i.e.: Fines. Imposition of fines in accordance with the Association's current Schedule of Fines.

In the case of continuing violations, such as architectural violations, the Board may impose additional disciplinary action once every thirty (30) days until the violation is remedied, provided that procedural requirements are followed. Repeated or habitual violations within a 30-day period shall not constitute a continuing violation but shall be a separate violation for each occurrence, and disciplinary action may be imposed for every separate violation.

5. Notice of Board's Decision; Effective Date of Sanction. The Board shall notify a member of its decision within 30 days after a determination has been made. Failure to notify a member within such a 30-day period shall invalidate the Board's action.

6. Payment of Fines. Fines (also known as monetary penalties or enforcement assessments) are due when imposed and are deemed delinquent if not paid within 30 days after they are due. All sums payable hereunder by a member may bear interest at the maximum rate permitted by law commencing on the date the said sums become delinquent. The Association may commence a lawsuit to compel payment of delinquent fines and to recover attorney's fees and costs of enforcement.

7. Schedule of Fines. The Schedule of Fines adopted by the RCC HOA Board is attached to this policy.

8. Additional Corrective Measures; Reimbursement Assessment. The imposition of fines and suspension of voting and use rights are in addition to the requirement that members comply with the governing documents. Compliance may include, but is not limited to, correcting,

repairing, or replacing non-complying conditions, all at the member's expense by, for example, levy of a reimbursement assessment against such member and his or her unit.

9. Other Remedies. The Association reserves the right to avail itself of any other remedy permitted by law and the governing documents to enforce the provisions of the Association's governing documents. These remedies include, but are not limited to, requesting internal dispute resolution, requesting that the matter be submitted to some form of alternative dispute resolution such as mediation or arbitration, right of entry to correct a violation, or bringing an action in court. Such remedies may be taken in addition to or in lieu of any action already taken, and commencement of one remedy shall not prevent the Association from electing later to pursue another remedy.

10. D&D Provisions Apply. The RCC HOA's D&D addresses and applies to the review and imposition of fines and other sanctions against members.

11. Liens. The Association may secure recovery of any fines imposed and the costs of enforcement by recordation of a lien or liens to the extent not prohibited by law. As of the date of adoption of this policy, liens that are recorded to secure fines may not be enforced by non-judicial foreclosure.

12. Association's Duty of Enforcement. Failure by the Association to enforce any provision of the governing documents shall in no event be deemed a waiver of the right to do so thereafter.

13. Amendment of Policy. As provided in the City of Fort Worth, and Texas civil codes, the Board may amend this policy without providing advance notice to the owners. If an amendment is required by law or needed to conform a particular provision or provisions of this policy to changes in applicable Texas statutory law that are nondiscretionary in nature.

**Ridgmar Crossroads Homeowners Association**  
**Schedule of Fines**

To ensure compliance with the governing documents of the RCC HOA, members may be fined for violations. The Association’s Board of Directors has adopted this Schedule of Fines, which will be in effect until changed by action of the Board of Directors. Any violation of the governing documents either by a member or a member’s tenant, invitee, guest, or unit occupant shall be subject to the following fines:

<b>Violation Type</b>	<b>1<sup>st</sup> Violation</b>	<b>2<sup>nd</sup> Violation</b>	<b>3<sup>rd</sup> &amp; Subsequent</b>
Late HOA Dues	\$25	\$25	\$25
Architectural	To be determined based on the infraction.		
Decks & Patios	\$25	\$25	\$25
Common Areas	\$50	\$50	\$50

This policy was adopted by the Ridgmar Crossroads Homeowners Assn. Board of Directors at its January 2024 monthly meeting. The policy became effective Feb. 1, 2024. The Board may revise this policy as needed to bring it into conformity with the City of Fort Worth code and State of Texas condominium laws.