

BYLAWS OF HOLLY GARDENS HOMEOWNERS ASSOCIATION

ARTICLE I

Section 1.1 - Provisions of Declaration and Articles of Incorporation. The name of this organization shall be Holly Gardens Homeowners Association, Inc. and is a non-profit corporation registered in the State of Louisiana, as such, hereafter, referred to as the Association.

Section 1.2: Purpose. The purpose of the Association shall be to all interests for the improvement of the neighborhood, including:

- Promotion of neighborhood cohesiveness and stability
- Protection of the residential character of the community
- Maintenance of a high level of appearance in the neighborhood
- Promotion of safety in the neighborhood
- Promotion for neighborhood Crime Watch programs
- Sponsorship of social functions

ARTICLE II DEFINITIONS

DEFINITIONS:

- Common Areas (see plat)
- Assessment (share of common expenses)
- Board (board of directors)
- Common expense (costs incurred by Association a) promote general appearance, b) improvement and maintenance of common areas
- CCR's (Covenants, conditions and restrictions filed with the parish)
- Declarant (the partnership, ie. Darryl Smith)
- Lot (residential lot as shown on the plat)
- Member (all members as provided by the CCR's. Lot owners)
- Occupant (any person without limitation using or visiting the lot)
- Owner (record owner of the lot)

ARTICLE III MEMBERSHIP

Section 3.1 – Inclusion. Membership in the Association shall apply to all record lot owners of a home in the Holly Gardens area of Hammond, Tangipahoa Parish, Louisiana. There shall be only one membership per Lot and one vote per membership.

Section 3. 2 - Member Action. Members are encouraged to attend and participate as private citizens in meetings of governmental committees, commissions, and boards. No member of the Association may use any information obtained through Association membership for commercial purposes or any other purpose inconsistent with these Bylaws.

Section 3.3 - Definition of Ownership/Owner. The term "ownership" and/or "owner" shall mean and refer to the record owner(s), or his/her heir(s), whether one or more persons or entities, of the contract title to any home which is located in, and is part of, the property described in Section 1 of this Article, but excluding those having such interest merely as security for the performance of an obligation.

ARTICLE IV BOARD REPRESENTATION

Section 4.1 - Officers. The Officers of the Association shall be President, Vice-President, Secretary, and Treasurer and five (five) voting members. No member may hold more than one office at a time.

Section 4.2 - The President. The President shall preside at all meetings of the Association and at all meetings of the Board. The President shall be a member of all committees, ex-officio, except for the Nominating Committee. Only the President, or those designated by the Board, shall speak for the Association.

Section 4.3 - The Vice-President. The Vice-President shall fulfill the duties of the President in case of the President's temporary absence and shall perform such other duties as requested by the President or the Board. The Vice President shall observe meetings of governmental bodies and alert the Board to items that merit attention by the Association.

Section 4.4 - The Secretary. The Secretary shall take minutes of regular membership meetings and Board meetings, conduct correspondence on behalf of the Association, and be responsible for keeping official Association records, Bylaws, and the Articles of Incorporation in compliance with Louisiana law. In addition, the Secretary will act as Historian to the Association, keeping running records of the Association as it develops.

Section 4.5 - The Treasurer. The Treasurer shall collect all monies due to the Association, keep an accurate record thereof, deposit same in the bank in the name of the Association, pay all funded bills incurred by the Association, and present a report at each Board meeting and at the Annual Business Meeting. All checks shall be signed by the Treasurer and the Vice-President, or the Treasurer and one other Officer.

Section 4.6 – Voting Board Member. The Voting board members will attend board meetings and offer input and representation.

Section 4.7 - Resignation and Removal. Any Officer may be removed from office with or without cause by a two-thirds majority vote of a quorum of members present in person. Any Officer may resign at any time by giving written notice to the Board, the President, or the Secretary.

ARTICLE V BOARD ELECTIONS

Section 5.1 - Number, Manner of Selection, and Term of Office. The HOA Board, hereafter referred to as the Board, shall consist of the four (4) elected Officers of the Association and five (5) elected Voting board members. Selection will be by self-nominating, nominating through the form on the website and a nominating committee as needed.

The Officers shall be elected by the membership at each Annual Business Meeting and shall serve for term lengths set below. Officers shall take office on January 1 of the following calendar year. During November and December, the Officers-elect will participate in Board meetings as non-voting members of the Board.

Term lengths:

President - 2 years,
Vice President - 1 year,
Treasurer - 2 years, and
Secretary - 1 year;

thereby creating staggered terms to provide cohesiveness and stability of the governing body.

The five (5) elected Voting board members may serve more than one (1) consecutive term in the same position, if desired. The election shall be by secret vote at the annual meeting.

A nominating committee may be formed to accept all nominations from new members seeking a Board position, and to also accept current Board members seeking other positions on the Board, if desired.

Section 5.2 - Qualifications. Only members of the Association shall serve on the Board. Only one member of a household at a time shall be an Officer.

Section 5.3 - Vacancies. Vacancies on the Board may be filled by majority vote of the Board. Three (3) consecutive absences from the Board meetings may be deemed a resignation. The replacement Board member shall serve for the unexpired term of their predecessor.

Section 5.4 - Powers and Duties. The Board shall set policy and conduct the business of the Association in accordance with the best interests of the HOA. The Board shall designate special committees as deemed necessary.

- Adopt and publish rules and regulations governing the common areas, and guests

- Suspend voting rights of any member in default of payment of assessment
- Exercise all rights, duty, and authority delegated by the CCRs and these bylaws
- Declare vacant office when member has multiple unexcused absences from consecutive meetings.
- Normal duties as designated by the CCRs

Section 5.5 - Board Meetings. There shall be at least four (4) regular meetings of the Board annually. The President may call special meetings of the Board as needed. A special meeting will be called upon by written request of at least five (5) members of the Board. A regular meeting schedule of the Board shall be announced to the membership.

Section 5.6 – Quorum. Attendance of five (5) members of the Board, two of whom must be Officers, shall constitute a quorum.

Section 5.7 - Compensation. No Officers or Voting Board Members shall receive compensation for any service he/she may render to the Association. However, any Board member may be reimbursed for actual expenses incurred in the performance of Board duties, provided those expenses are within approved budget limits or incurred with prior approval from the Board.

ARTICLE VI ASSESSMENTS

Section 6.1 Notice of Assessment: All notices, bills, and statements of communications required under the CCRs or these bylaws shall be in writing and shall be delivered 30 days prior to the due date beginning January 1 of each year and continuing 30 days before each quarter.

Assessments will be delivered via first class mail or by preferred method as disclosed to the secretary or management company, by the lot owner, or the last known address if no preference or no address has been registered. Default notification will be by quarterly communication.

Owner may request monthly, quarterly or annual billing, as preferred. In the case of multiple owners of a lot, only one lot owner must be notified

Section 6.2 Payment of assessment. Payment may be made by check or money order to Holly Gardens HOA and dropped off at the drop box or through PayPal at info@hollygardenshoa.com. If paid by credit card or debit card through PayPal, it is the responsibility of the owner to cover all additional fees associated with PayPal credit/debit payments. For example, at the current rate of 3.9% plus a \$.30 transaction fee, a quarterly assessment of \$75 at 3.9% would be \$2.93 plus \$.30 transaction fee would be an assessment of \$78.23. If the PayPal payment is made directly from the owner bank account linked within PayPal, there are no additional fees required. It is the responsibility of the owner to ensure the PayPal fees are covered in their assessment payment.

Section 6.3 Collections of Assessments.

Assessments are due on the first day of each quarter beginning January 1; then April 1, July 1, and October 1 of each year. If the quarterly payment is not paid before the first day of the following quarter, a fine of \$75 shall be assessed for each additional month of non-payment to include cost of additional notifications. After 2 quarters of non-payment of the assessment and late fees, and an agreement to a payment plan has not been reached; a lien will be placed on the property until payment is made; including all late fees, cost of legal fees associated with the lien, costs to the management company and all other costs made by the association for the collection of fees. The lien will be reassessed every six months which will incur additional costs.

6.4 VIOLATIONS OF CCRs

The board shall impose a fine according to the following procedure:

1. Written letter/memo to cease and desist shall be served specifying:
2. The alleged violation along with the referenced CCR
3. The action required to abate the violation
4. A time period in which the violation may be abated with no further action.

Depending on the violation, a second letter of notice shall be sent if the violation is not resolved, within 14 days of the initial communication. This notice shall reference:

1. The original violation

2. The referenced CCR
3. The action required to abate the violation and
4. The notice of the impending action and the fine that shall be assessed if not resolved.

If the violation has not been resolved within a timely manner, a fine of \$25 will be assessed against the lot owner every month that the violation is not resolved. If the board is required to resolve the issue by an outside contractor, the lot owner will be assessed the violation fine and any additional fees that are required to rectify the violation.

Depending on the violation, if the violation continues or reoccurs within 3 months, the board may impose additional fines and actions commiserate with the violation. The fine notice shall state:

- Nature of alleged violation and referenced CCR
- The fine assessment to date
- The alleged violator may request a hearing
- The violator may provide statements, evidence and witnesses at the hearing
- All rights to have the fine reconsidered are waived if a hearing is not requested within a 3-week time frame

The board shall hold an executive session for the hearing and give the violator a reasonable opportunity to be heard. The minutes shall contain a written statement of the results of the hearing.