

THUNDERBIRD POINT OWNERS' ASSOCIATION



By action of the Thunderbird Point Owners' Association (TPOA) Board of Directors with an affirmative vote on May 18, 2024, and in accordance with Texas House Bill No. 614, Section 209.0061 (effective January 1, 2024), the TPOA Board of Directors has approved the following Fine Schedule for violations of TPOA Covenants, Conditions and Restrictions dated and recorded July 19, 2021, and any other Governing Documents.

TPOA Policy on Fines

Property owners with CCR violations will receive a courtesy 30-Day letter from the TPOA Architectural Control Committee (ACC) reminding them of the CCRs along with a description of their violation(s). In addition, property owners will be asked to rectify the specific violation(s) by a specified date.

Property owners who do **not** rectify violations, per the specific date on the 30-day letter, will receive a second **certified** 10-day letter requesting rectification of their violation(s). The certified letter will provide the following information:

- Property owner will be instructed to rectify violation(s) by 10 days of the date of the certified letter.
- For each CCR violation not rectified per the instructions on the certified letter, a fine will be levied against the property for outstanding violation(s).

ALL property owners have the right to request a hearing with the Board of Directors in accordance with ARTICLE IX, MATTERS FOR MEDIATION AND ARBITRATION of the CCRs.

Property owners who fail to correct their property violation(s) will receive a third and final letter from the TPOA with the following information:

- A fine as specified in the following Schedule of Fines or as required on a case-by-case basis.
- All monetary fines will be billed to the owner's account and will be payable by the owner to TPOA within 30 days of the third and final letter.
- All penalties shall be cumulative, but the total amount fined will not exceed \$1,200 during the six (6) month period following the first fine notification. If the violation(s) continues for more than six (6) months or recurs after the end of the six (6) month period, such violation shall be subject to an additional \$1,200 cap for each subsequent six (6) month period.

Non-Exclusive Remedies. The imposition of the monetary penalties provided herein shall not be construed to be an exclusive remedy, and shall be in addition to all other rights and remedies to which the TPOA may otherwise be entitled, including, without limitation, the filing of an Affidavit of Non-Compliance in the Real Property Records of Camp County, Texas, and/or the initiation of legal proceedings seeking injunctive relief and/or damages, attorney fees, costs of court, and all other remedies, at law or in equity, to which the TPOA may be entitled.

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Violation by Resident, Tenant, or Agent. A violation by a resident, tenant, guest, or agent of the owner shall be treated as a violation of the owner of the property. If the resident is someone other than the owner, then both the resident and the owner will be penalized. All monetary penalties shall be billed to the owner and, if applicable, the resident.

Schedule of Fines

Examples of common violations but not inclusive

VIOLATION(S) DUE TO LACK OF EXTERIOR MAINTENANCE

Initial Fine: Minimum of \$200 with 30 days to cure the violation. An additional fine of \$200 per month for every month of non-compliance after notice has been given.

VIOLATION(S) DUE TO SANITATION, DUMPING, AND BURNING OF GARBAGE

Initial Fine: Minimum of \$200 with 7 days to cure the violation. An additional fine of \$200 per week for every week of non-compliance after notice has been given.

FAILURE TO GAIN APPROVAL FROM THE ARCHITECTURAL CONTROL COMMITTEE (ACC) FOR ANY PROPERTY/LOT IMPROVEMENTS

Initial Fine: Minimum of \$200 with 14 days to cure the violation. An additional fine of \$200 per month for every month of non-compliance after notice has been given.

FAILURE TO FOLLOW ACC APPROVED PLANS FOR A PROJECT

Initial Fine: Minimum of \$200 with 14 days to cure the violation. An additional fine of \$200 per month for every month of non-compliance after notice has been given.

FAILURE TO PREVENT ROAMING AND OR DANGEROUS DOGS

Initial Fine: Minimum of \$200 with 14 days to cure the violation. An additional fine of \$200 per month for every month of non-compliance after notice has been given.

VIOLATION(S) DUE TO INOPERATIVE VEHICLES

Initial Fine: Minimum of \$200 with 7 days to cure the violation. An additional fine of \$200 per week for every week of non-compliance after notice has been given.