HARBOR POINT
VIOLATION, ENFORCEMENT and PENALTY
SUMMARY

The following summary is provided as a quick reference to **Section 209.006 and 209.0061 of the Texas Property Code and the Harbor Point Board of Directors Resolution on Enforcement Action.**

1. Types of Violations:

    A. Non-Curable: A non-curable violation is a violation which has occurred but i s not a continuous action or a condition capable of being remedied by affirmative action. Examples are:
        1) Shooting Fireworks;
        2) Dogs running loose;
        3) An act constiuting a threat to health or safety;
        4) A noise violation that is not ongoing;
        5) Holding a garage sale open to the General Public;
        6) Operation of golf carts/UTV's by underage minors;
        7) HP unregistered golf carts/UTV's.

    The non-repetition of a one-time violation or other violation that is not on going is not considered an adequate remedy under the Texas Property Code.

    B. Curable: A curable violation is a violation which is ongoing and may be remedied by affirmative action of the property owner. Examples are:

        1) Construction of a permanent property improvement without a permit;
        2) Failure to maintain property improvements;
        3) On-going noise violation;
        4) Property rental.

2. Association Policy – Fines

    A. Non-Curable fines:

        1) Property Damage: Actual Cost of Repairs
        2) Improper Trash Disposal: $250.00
        3) All Other violations: $100.00
        4) Malicious property Damage to amenities may also result i n suspension of the use of such amenity.

B. <u>Curable fines</u>:

      1) General Deed Violations: $100.00 <u>per month</u> until resolved;
      2) Violation of Non-Rental Clause: $250.00 <u>per month</u> u n t i l resolved.

Section 209.006 and 0061 of the Texas Property Code and the Harbor Point Board Resolution o Enforcement Action provides detailed information on how the Association must notify owners of any violation and pending action or enforcement. **Property owners right of appeal or requests for hearings before the Board of Directors are both explained in detail in these documents.**