

**VIOLATION AND FINE POLICY**  
**for**  
**FOUR SEASONS FARM (FSFCA, INC)**  
**Adopted by the Board of Directors**  
**and**  
**Revised effective December 5, 2008**

The following Rules and Regulations are established in accordance with and by the authority of Article IX, 9.03 of the CCR's.

The purpose of this policy is to establish guidelines for some of the frequent types of violations addressed in the Deed Restrictions. It is not intended to be a complete list of all possible violations. For more complete information, refer to the FOUR SEASONS FARM (FSFCA, INC) DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (henceforth referred to as CCR's); Architectural Control Guidelines for Modifications Committee and Design Guidelines.

All properties should be kept with a neat, well-maintained appearance at all times.

**Unapproved exterior changes:** All changes to the exterior of the residence, the addition of **any** structure, fence replacement, painting, antennae/satellite dishes, or major landscape modifications must be approved in writing by the Modifications Committee (MC). A copy of the request form is enclosed. Submit it, along with the required information as directed. For more information refer to the Architectural Control Guidelines for modifications Committee and Design Guidelines that you received at closing.

**Yard maintenance needed:** Yards must be maintained on a basis frequent enough to maintain an overall well kept appearance. This includes:

- Mowing: includes front yard and side yard of corner lots; all backyards must be mowed.
- Edging: sidewalk, driveway, and curb, etc.
- Weed control: weed abatement in grass, flowerbeds, and cracks; weed eating fences, etc.
- Watering, disease control fertilization or grass replacement: (adding sod or reseeding where grass has died)
- Blowing or sweeping up: grass and clippings must be removed from driveway, sidewalk and street after maintenance.
- Remove dead plants, shrubs, trees in a timely manner.
- Any decorative appurtenances must be approved by the MC (statues, benches, etc.)

**Trash receptacles in view:** All trash containers must be hidden from general view except for trash pick-up day. If containers can be seen from the street, they are not out of view. A screen such as a lattice with vines growing on it is an example of a measure of appropriate screening, if you do not want the containers in your garage or you backyard. If you choose to use this method, or another acceptable one, a request must be submitted in writing for approval by the Modification Committee (MC) through the property manager.

**Fence/gate repairs needed:** Replace broken/missing pickets, repair/replace broken or hanging gates, straighten/secure leaning or bowing fences, etc. Any modifications to the height or appearance (painting, staining, etc) of the existing fencing provided by the builder must be approved by the MC.

**Animals:** All pets must be restrained or confined to an owners Lot. A pet owner must clean up after a pet if and accident occurs. You may also report animals running loose or causing a disturbance to the City of Kyle for investigation and action.

**Vehicles:** Applicable to vehicles that are regularly parked on the street, inoperable, or improperly parked.

- Vehicles must have current registration and inspection showing; be in good repair and attractive condition; wrecked or otherwise inoperable vehicles may not be in view.
- Vehicles may not be parked on the lawn or on sidewalks at any time.
- Commercial trucks may not be parked in view.

**Boats, trailers, recreational vehicles, etc.:** May not be stored in view on the property.

**Other:** Examples of other things that could incur violations are:

- Generally unkept appearance of the property including not repairing painted surfaces.
- Portable basketball goals may be placed no further from the front of the garage than 15'; permanently mounted goals must be approved by the MC.
- Portable basketball goals may never be located in the street.
- Satellite dish location must be approved by the MC.
- Areas in public view should be tidy and uncluttered.
- "For Lease" signs are prohibited

**Fines:**

- a) For the first fine, or 3<sup>rd</sup> notice of a violation of a provision/rule: \$25;
- b) For the second fine, or the 4<sup>th</sup> notice of a violation of the same provision/rule within 12 months of the first: \$50;
- c) The 5<sup>th</sup> and all subsequent notices of violations of the same provision/rule within 12 months of the last preceding violation shall incur a fine of \$100.
- d) In accordance with the Texas Property Code, all violations of a similar kind, the Board may impose a fine that accrues daily for each day of the violation; the daily fine shall not exceed \$200 per day.

**Example:** Three notices of "**Yard Maintenance Needed**" will receive a \$25 fine. The 4<sup>th</sup> notice will be a \$50 fine. And, the 5<sup>th</sup> and all subsequent notices will receive a \$100 fine. This can be any combination of the criteria that would be included in 'Yard maintenance' such as mowing, edging, weed control, dead plants, watering needed, etc... (not just 3 notices to mow or 3 notices to edge, etc.).

When a fine is assessed, the owner will receive a Certified Notice of the fine along with an additional charge, currently \$11, for the notice of violation along with an invoice showing the fine and certified charge have been added to their assessment account. This is required by law. If you choose not to accept or pick up the certified, it is still legally considered delivered. An owner will have the opportunity to contest any fine within 30 days of the invoice date by submitting a written request to the property manager for a hearing with the HOA Board of Directors.