

Park Glen Neighborhood Association

Minutes - September 8, 2015 Board Meeting
Longhorn Activity Center, Ft Worth, Texas, 7pm

Final – as Approved
by the PGNA Board
10/13/2015

- 1) Meeting was called to order at 7:05 pm. Roll Call – Board Members present: Kevin Hammack, Russell Zwerg, Susan Kenney, Barry Bryan, Bonnie Hoke. Jack Webb arrived at 7:52 pm. Sterling Rice was absent. Bonnie left the meeting at 8:27. Jennifer Martinez, our Property Manager with RealManage was present. The following members (homeowners) were present: Tom McMeans, Cynthia Coe, Dan Thunder, Cecilia Shilling, Mark Thiessen, William Grove, Tom Kaul, Ralph Robb, Diane Cape, Jack Reiser.
- 2) Reading of Minutes of preceding meeting
Susan made a motion to accept Minutes from the August 11, 2015 Board Meeting and September 1, 2015 Annual Meeting. Barry seconded the motion. The motion passed unanimously.
- 3) Board Member Reports
 - a. President – Kevin welcomed new Board member Bonnie Hoke. Kevin also talked about the issues we will need to tackle this year, which will not be easy: violations & priorities, collections & late fees, repairs of mailboxes and sidewalks.
 - b. Vice President/ Treasurer – Russell talked about the mailbox at 5205 White Sands that was knocked down, which is located in the Village behind Boy Scout Longhorn building; someone called RealManage, admitted that they did it, and got their insurance involved. Russell and Barry went to two seminars last week for the HOA on legislative updates, collections, and “How to Be a Good Board Member (Legally).”
 - c. Secretary – Susan reported that the McDonald’s will be going in at the corner of North Tarrant and Park Vista; she sent them a letter asking them to put in nice trees. She updated everyone on the City’s meeting of the Update for the Master Thoroughfare Plan.
 - d. Barry – told about the Rolling Town Hall coming up with Mayor Betsy Price on September 16th, starting off at Arcadia Park #1; non-riders may talk to the mayor at 5:30 before the ride. Dana Hammack said that several city officials will be present, including Carey Moon and members of the Parks Department and Planning and Development Dept. Barry said that during the Turkey Trot, the United Alliance Methodist Church would like to join with our HOA to do a food collection.
- 4) Property Managers report - Jennifer Martinez said they’re just getting through the growing pains. People are responding to violation letters.
- 5) Kevin – said that we needed a Treasurer.
Barry made a motion that Russell Zwerg be appointed Treasurer and Jack Webb be appointed Assistant Secretary. Susan seconded the motion. Motion passed unanimously.
- 6) Business:
Holiday in the Park Budget and Authorization:
Russell made a motion that the Association conduct the annual “Holiday in the Park “ event for the community at Arcadia Park #4 (intersection of Rushmore and Glen Springs Trail) on December 5, 2015 . The event will be planned and implemented by a committee co-chaired by Russell Zwerg and Dana Hammack, with other Park Glen members encouraged to volunteer. The expense budget is set at \$2,000 (the same as last year’s budget; last year’s actual expense was \$1,305). Susan seconded the motion. Motion passed unanimously.

Susan suggested that signs be placed at Arcadia Park at Ash River (former location of Holiday in the Park), so people know that location has changed.

Turkey Trot Plans – Dana Hammack explained about this event and what will be needed in regard for volunteers.

Pool/Movie night will be on Sept 12th. Russell said at the last one there were 25 people, we can hold 150. There will be free hot dogs, chips, and water.

Financial & Bank Reports – Russell went over the Bank Balance, Receipts, & Disbursement Report. The BB&T Bank Account is closed. Russell went over the different expenses. We have \$335,718.47 total between all accounts. Russell went over the Income Statements. Russell talked about the Accounts Receivables from former homeowners which comes to \$36,961.99.

Report on Annual Election: Russell said we had 11.5% of homeowners vote in our annual election. There were 382 people who voted in the election. Russell said we should think of ideas to gain more participation in election. Russell suggested that we add “check your mail” to the community signs and also provide a raffle. Resident Jack Reiser suggested that the proposal of specific policy changes could encourage residents to turn out to vote.

Mr. Reiser submitted 3 ideas for change having to do with flag displays, lawn and landscape mix, and retaining walls.

Report on Annual Assessment Billing; consideration of sending a letter to homeowners (with annual bills) that outlines the need to request ACC approval for property modifications. – Jennifer said that it is not an option to add a letter from the Board to the annual billing statement. She also explained that there is a \$14.95 fee when residents pay annual assessment fee by credit card. The management company doesn't get the fee, it goes straight to the credit card company that they use. Susan asked if they can see if Paypal is an option. On the statement that goes out to homeowners, it will be made clear about the \$14.95 fee.

Collection, Late Fee, and Interest Policy – Russell explained that we have a policy regarding these items and that Real Manage wrote up a new policy, and Russell went over the new policy. Russell said we need to discuss what we should do when we have delinquent accounts. Russell said he wrestled with system being on automatic pilot for delinquent accounts. Russell said that we should try the process that is proposed. Kevin said that the automatic process documents that the process is applied equally to everybody. Russell explained that a homeowner can claim hardship and the Board can work with homeowner with a longer time period, or payment plan. Russell explained that there is a 4 year statute of limitations on the delinquency collections.

Russell made a motion that the Association adopt the “Policies and Procedures for the Collection of Assessments and other Charges of the Association” as presented tonight (see attached). Barry seconded the motion. Motion passed unanimously.

Violations Priorities and Process; Reports from Violations Committee – Kevin said that we need to discuss these, and give direction to Real Manage. Kevin asked if the Board could review the Notes from Violations Committee, so that we can discuss at the next meeting.

- 7) Kevin asked if anyone in audience had any comments. Some residents asked about various violations they've seen in the neighborhood such as black bags in front of a home, and multiple business vans in the front of a home.
- 8) Next Meeting October 13, 2015 @ LAC, 7p
- 9) Adjourn

Russell made a motion to adjourn. Susan seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:41 pm.

After the Board meeting on August 11, 2015, the Board:

- approved a homeowner's appeal regarding the construction of a storage shed (ACC Project #14596).
- approved the writeoff of \$352.46 in late fees, interest, violations, and payment plan fees on homeowner account # R0330830L0280747 upon the homeowner's payment of \$572.94 to pay all outstanding assessments plus the remaining \$352.45 in "soft" charges.

Bank Balance, Receipts, & Disbursement Report	<u>Legend Bank</u>	<u>BB&T Bank</u>	<u>Union Bank</u>
Balance on 8/12/15	\$247,088.08	\$77.76	\$95,193.09
Homeowner Payments Received		\$0.00	\$6,688.00
TOTAL DEPOSITED: \$6,688.00			
Interest Earned		\$0.00	
Credit Card Processing Fees (Retroactively charged)	-\$2.00		
Bank Fee to Close BB&T Account (estimate)		-\$37.00	
Transfer from BB&T to Union (estimate)		-\$40.76	40.76
Ck 9059 Sign Central - "Please Vote" signs	-\$247.50		
Ck 9060 Brian Boerner - Measure & Certify TT Cour	-\$250.00		
Ck 9061 Uncle Bob's Storage - September Rent	-\$92.00		
Ck 5009 Lisa Nickels Insurance-D&O Policy Renewal			-\$5,682.00
Ck 5010 Pulman, Capuccio Law Firm-July Fees			-\$595.76
Ck 5011 RealManage-Sep Mgmt Fee, Aug Expenses			-\$6,422.20
Balance on 9/7/15	\$246,496.58	\$0.00	\$89,221.89
All Accounts on 9/7/15		\$335,718.47	

Park Glen Neighborhood Association Balance Sheets	9/30/2014	5/31/2015	6/30/2015	7/31/2015
<u>ASSETS</u>				
Legend Bank-Checking Account	\$ 59,642.90	\$ 190,048.61	\$ 186,778.00	\$ 247,180.00
BB&T Bank-Checking Account	\$ 127,848.64	\$ 134,792.95	\$ 134,798.00	\$ 78.00
Union Bank-Checking Account		\$ 50,000.00	\$ 45,691.00	\$ 95,396.00
Legend Bank-CD #613	\$ 117,528.26	\$ -	\$ -	\$ -
Legend Bank-CD #625	\$ 56,497.13	\$ -	\$ -	\$ -
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TOTAL IN BANK	\$ 361,516.93	\$ 374,841.56	\$ 367,267.00	\$ 342,654.00
Accounts Receivable-Member Accts	\$ 247,484.59	\$ 207,701.02	\$ 207,821.00	\$ 204,040.00
Accts Receiv-Former Homeowners		\$ 37,028.33	\$ 36,963.85	\$ 36,961.99
Bad Debt Allowance	\$ (226,487.00)	\$ (244,664.35)	\$ (219,104.70)	\$ (219,087.00)
Accum Pymt Plan Inc Reserve	\$ -	\$ -	\$ -	\$ -
Accum Late Fee Inc Reserve	\$ -	\$ -	\$ -	\$ -
Accounts Receivable-Other		\$ -	\$ -	\$ -
Prepaid Insurance	\$ 6,853.49	\$ 2,058.45	\$ 1,443.00	\$ 7,949.00
Prepaid Expenses	\$ 915.00	\$ 200.00	\$ 3,428.00	\$ 3,909.00
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TOTAL OTHER CURRENT ASSETS	\$ 28,766.08	\$ 2,323.45	\$ 30,551.15	\$ 33,772.99
TOTAL ASSETS	\$ 390,283.01	\$ 377,165.01	\$ 397,818.15	\$ 376,426.99
<u>LIABILITIES</u>				
Accounts Payable	\$ 8,562.03	\$ 30,647.79	\$ 3,329.00	\$ 850.00
Potentially Due to Management Company	\$ 6,120.00	\$ -	\$ 29,317.00	\$ 29,317.00
Deferred Income	\$ -	\$ 72,996.00	\$ 54,747.00	\$ 36,498.00
Prepaid Owner Assessments	\$ 123,294.25	\$ 7,008.23	\$ 7,009.00	\$ 7,980.00
Prepaid by Former Owners		\$ 1,356.85	\$ 1,356.85	\$ 1,356.85
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TOTAL LIABILITIES	\$ 137,976.28	\$ 112,008.87	\$ 95,758.85	\$ 76,001.85
<u>EQUITY</u>				
Retained Earnings thru Prior Year	\$ 450,136.32	\$ 252,306.73	\$ 252,306.73	\$ 252,306.73
Current Year-to-Date Net Inc/(Loss)	\$ (197,829.59)	\$ 12,849.41	\$ 49,752.57	\$ 48,118.41
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TOTAL EQUITY	\$ 252,306.73	\$ 265,156.14	\$ 302,059.30	\$ 300,425.14
TOTAL LIABILITIES & EQUITY	\$ 390,283.01	\$ 377,165.01	\$ 397,818.15	\$ 376,426.99

Park Glen Neighborhood Association Income Statements (fiscal years are October thru September)	2014-2015 Budget Accepted 10/21/14	Prorated Monthly Budget (1/12th of the Annual Budget)	May-15	Jun-15	Jul-15	Fiscal Year-to- Date (10 Months) 10/1/14- 7/31/15	Prorated 10- Month Budget (10/12ths of the Annual Budget)
Assessment Income	\$ 218,988.00	\$ 18,249.00	\$ 18,249.00	\$ 18,249.00	\$ 18,280.62	\$ 182,521.62	\$ 182,490.00
Late Fee Income	\$ 40,000.00	\$ 3,333.33	\$ 3,872.76	\$ 14,837.33		\$ 46,114.74	\$ 33,333.33
Legal Fees Reimbursement	\$ 15,000.00	\$ 1,250.00	\$ -	\$ 1,321.87		\$ -	\$ 12,500.00
Letter Fees Reimbursement	\$ 1,500.00	\$ 125.00	\$ 90.00			\$ 2,527.03	\$ 1,250.00
Payment Plan Fees	\$ 750.00	\$ 62.50	\$ -	\$ 70.00		\$ 75.00	\$ 625.00
Collection Fees Reimbursement	\$ -	\$ -	\$ -			\$ -	\$ -
Credit Card Fees Reimb	\$ 1,000.00	\$ 83.33	\$ 34.41			\$ 1,364.00	\$ 833.33
Interest on Receivables	\$ 10,000.00	\$ 833.33	\$ (115.89)	\$ 4,052.90		\$ 6,631.69	\$ 8,333.33
Returned Item Fee Reimb	\$ -	\$ -	\$ -			\$ 35.00	\$ -
Forced Maintenance Reimb	\$ 1,000.00	\$ 83.33	\$ -	\$ 81.19		\$ -	\$ 833.33
Fines and Violations	\$ 8,000.00	\$ 666.67	\$ 92.75	\$ 2,852.73		\$ 4,140.35	\$ 6,666.67
Interest Income	\$ 700.00	\$ 58.33	\$ 484.44	\$ 4.99	\$ 3.82	\$ 530.40	\$ 583.33
Social Event Income	\$ 10,000.00	\$ 833.33	\$ (45.00)		\$ 445.00	\$ 14,525.00	\$ 8,333.33
Total Income	\$ 306,938.00	\$ 25,578.17	\$ 22,662.47	\$ 41,470.01	\$ 18,729.44	\$ 258,464.83	\$ 255,781.67
Management Fees	\$ 115,466.40	\$ 9,622.20	\$ 9,834.80	\$ 2,800.00	\$ 2,300.00	\$ 82,098.40	\$ 96,222.00
Accounting / Audit	\$ 9,000.00	\$ 750.00	\$ 350.00			\$ 8,280.00	\$ 7,500.00
Legal Fees-Non Collection	\$ 16,000.00	\$ 1,333.33	\$ 1,007.69		\$ 244.39	\$ 4,312.63	\$ 13,333.33
Legal Fees-Collections	\$ 16,000.00	\$ 1,333.33	\$ -			\$ 150.00	\$ 13,333.33
Collection Fees to Mgmt Co.	\$ 40,000.00	\$ 3,333.33	\$ 9,090.36	\$ 1,500.00	\$ 1,500.00	\$ 38,713.72	\$ 33,333.33
Consulting / Professional Fees	\$ 5,600.00	\$ 466.67	\$ -	\$ 75.00	\$ 3,400.20	\$ 3,475.20	\$ 4,666.67
Bank & Credit Card Fees	\$ 5,800.00	\$ 483.33	\$ 123.80	\$ 14.69	\$ 15.00	\$ 1,957.09	\$ 4,833.33
Postage & Courier	\$ 3,000.00	\$ 250.00	\$ 118.54			\$ 1,854.43	\$ 2,500.00
Insurance	\$ 7,214.00	\$ 601.17	\$ 615.45	\$ 615.45	\$ 1,116.17	\$ 6,626.66	\$ 6,011.67
Dues & Subscriptions	\$ -	\$ -	\$ -			\$ 35.00	\$ -
Office Supplies	\$ 100.00	\$ 8.33	\$ -			\$ 433.51	\$ 83.33
Board & Community Meetings	\$ 600.00	\$ 50.00	\$ 120.00			\$ 1,286.56	\$ 500.00
Website	\$ -	\$ -	\$ 4,500.00			\$ 4,500.00	\$ -
Printing & Reproduction	\$ 3,000.00	\$ 250.00	\$ 318.82		\$ 91.80	\$ 2,893.12	\$ 2,500.00
Property Taxes	\$ 100.00	\$ 8.33	\$ -			\$ -	\$ 83.33
Payment Plan Income Reserve	\$ -	\$ -	\$ (5.00)			\$ -	\$ -
Late Fee Income Reserve	\$ -	\$ -	\$ (27,404.65)			\$ -	\$ -
Bad Debt Expense	\$ 38,285.70	\$ 3,190.48	\$ 18,227.73	\$ (2,363.58)		\$ 15,864.15	\$ 31,904.75
Total Administrative Exp	\$ 260,166.10	\$ 21,680.51	\$ 16,897.54	\$ 2,641.56	\$ 8,667.56	\$ 172,480.47	\$ 216,805.08
Social Activities	\$ 30,000.00	\$ 2,500.00	\$ 587.36	\$ 983.29	\$ 3,254.04	\$ 23,386.73	\$ 25,000.00
Scholarships/Charitable	\$ 10,000.00	\$ 833.33	\$ -		\$ 7,500.00	\$ 9,500.00	\$ 8,333.33
Hospitality	\$ -	\$ -	\$ -			\$ 701.89	\$ -
General Maint. & Repair	\$ 8,000.00	\$ 666.67		\$ 850.00	\$ 850.00	\$ 3,000.00	\$ 6,666.67
Lawn Maint & Landscaping	\$ 1,000.00	\$ 83.33				\$ -	\$ 833.33
Storage	\$ 1,830.00	\$ 152.50	\$ 92.00	\$ 92.00	\$ 92.00	\$ 1,272.33	\$ 1,525.00
Licenses & Permits / Filings	\$ -	\$ -	\$ 5.00			\$ 5.00	\$ -
Total Other Expenses	\$ 50,830.00	\$ 4,235.83	\$ 684.36	\$ 1,925.29	\$ 11,696.04	\$ 37,865.95	\$ 42,358.33
Total Expense	\$ 310,996.10	\$ 25,916.34	\$ 17,581.90	\$ 4,566.85	\$ 20,363.60	\$ 210,346.42	\$ 259,163.42
Net Income / (Loss)	\$ (4,058.10)	\$ (338.18)	\$ 5,080.57	\$ 36,903.16	\$ (1,634.16)	\$ 48,118.41	\$ (3,381.75)

AFTER RECORDING, PLEASE RETURN TO:

**Judd A. Austin, Jr.
Henry Oddo Austin & Fletcher, P.C.
1700 Pacific Avenue
Suite 2700
Dallas, Texas 75201**

**FIRST SUPPLEMENTAL CERTIFICATE AND MEMORANDUM OF
RECORDING OF DEDICATORY INSTRUMENTS FOR
PARK GLEN NEIGHBORHOOD ASSOCIATION, INC.**

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

The undersigned, as attorney for Park Glen Neighborhood Association, Inc., for the purpose of complying with Section 202.006 of the Texas Property Code and to provide public notice of the following dedicatory instruments affecting the owners of property described on Exhibit "B" attached hereto, hereby states that the dedicatory instruments attached hereto are true and correct copies of the following:

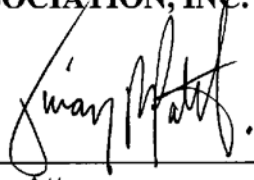
- ***Park Glen Neighborhood Association, Inc. - Board Resolution for Adopting the Policies and Procedures for the Collection of Assessments and Other Charges of the Association*** (Exhibit A-1); and
- ***Park Glen Neighborhood Association, Inc. - Policies and Procedures for the Collection of Assessments and Other Charges of the Association*** (Exhibit A-2).

All persons or entities holding an interest in and to any portion of property described on Exhibit "B" attached hereto are subject to the foregoing policy as it replaces and supercedes prior

policies with respect to the collection of assessments, and shall remain in force and effect until revoked, modified or amended by the Board.

IN WITNESS WHEREOF, Park Glen Neighborhood Association, Inc. has caused this First Supplemental Certificate and Memorandum of Recording of Dedicatory Instruments to be filed with the office of the Tarrant County Clerk and supplements that certain Notice of Filing of Dedicatory Instruments for Park Glen Neighborhood Association, Inc., filed on March 1, 2000, and recorded as Instrument No. D200041431 in the Official Public Records of Tarrant County, Texas; and that certain Certificate and Memorandum of Recording of Association Documents for Park Glen Neighborhood Association, Inc., filed on April 16, 2010, and recorded as Instrument No. D210087747 in the Official Public Records of Tarrant County, Texas.


**PARK GLEN NEIGHBORHOOD
ASSOCIATION, INC.**

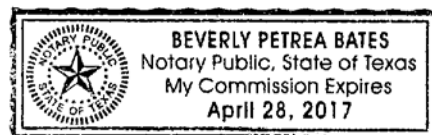
By: 
Its: Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public, on this day personally appeared Vinay B. Patel, attorney for Park Glen Neighborhood Association, Inc., known to me to be the person whose name is subscribed on the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND AFFIRMED SEAL OF OFFICE on this 10th day of September, 2015.


Notary Public, State of Texas



**BOARD RESOLUTION FOR ADOPTING THE POLICIES AND PROCEDURES FOR THE
COLLECTION OF ASSESSMENTS AND OTHER CHARGES OF THE ASSOCIATION**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions governing the Park Glen Neighborhood Association, Inc. (the "Association") grants the authority to the Board of Directors to collect assessments for common expenses from the members of the Association; and

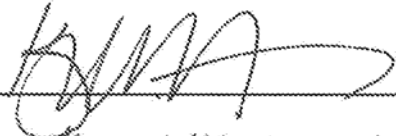
WHEREAS, the Board of Directors deems it to be in the best interests of the Association to adopt a uniform and systematic procedure for dealing with delinquent accounts in a timely manner;

THEREFORE, BE IT RESOLVED that the Board of Directors grants RealManage (the "Management Company") as agent for the Association the authority to engage the Association's attorney, lien service, or collection agency in accordance with the Policies and Procedures for the Collection of Assessments and Other Charges of the Association for all accounts with an amount past due greater than or equal to **1 x Assessment Amount without further approval**; and

BE IT FURTHER RESOLVED that the Board of Directors of the Park Glen Neighborhood Association, Inc. met on the _____ day of _____, _____ and adopted the attached Policies and Procedures for the Collection of Assessments and Other Charges of the Association dated 9/8/2015.

ATTEST:

Signature: _____



Printed Name: KEVIN HAMMACK

Title: PRESIDENT

(President or Secretary)

Policies and Procedures for the Collection of Assessments and Other Charges of the Association

The Board of Directors of Park Glen Neighborhood Association, Inc. (the "Association") has adopted the following policies and procedures for the collection of assessments and other charges of the Association. The policies and procedures detailed herein will be implemented on behalf of the Board of Directors by RealManage (the "Management Company") as agent for the Association unless otherwise stated.

Obligation to Pay Assessments

Membership in the Association is mandatory pursuant to the terms and conditions of the Declaration. A property owner is legally obligated to pay the Assessments to the Association even if the Association's facilities or amenities are not used by the property owner. The property owner may not withhold assessment payments even if the association is not providing maintenance or other services mandated by the Association's governing documents.

Due Dates

Assessments are due on the 1st as follows: 10/1.

Invoices

The association may, but shall not be required to, invoice a property owner as a condition to an owner's obligation to pay assessment or other charges of the Association. As a matter of course, assessments are invoiced by statements. Non-receipt of an invoice shall in no way relieve the property owner of the obligation to pay the amount due by the due date. Property owners who do not receive their invoice are responsible for contacting the Management Company prior to the due date to request a replacement. Property owners are responsible for notifying the Management Company of their mailing address at the time of acquiring property ownership and any subsequent mailing address change.

Late Payment Charges

An assessment shall be past due and subject to late payment charges if not paid in full as follows:

\$15.00 late charge after 10/10, \$15.00 after 11/10, and so on.

A monthly finance charge of 18.00% per annum using simple compounding based on a 365 day year.

Return Payment Charges

A non-negotiable fee of not less than \$25.00 will be assessed to the property owner for any payment processed that is not honored by a bank or financial institution for any reason including but not limited to insufficient funds. Such return payment charge shall be due and payable immediately upon demand. Any applicable late payment charges, which would have been assessed if the payment had not been made, may also be applied to the property owner's account. The payment of the outstanding account balance will be required to be paid with a money order or cashier's check. Personal checks will not be accepted to satisfy an outstanding account balance when an insufficient fund check makes up a portion of the balance.

Referral of Delinquent Accounts to Attorneys

The Association may, but shall not be required to, refer delinquent accounts to its attorney(s) for further collection action. The Association's attorney, at the direction of the Board of Directors and on behalf of the Association, may elect to pursue any available method of collection allowable under state law, which may include, but not be limited to, the filing of a lawsuit for foreclosure against the property owner.

Referral of Delinquent Accounts to Lien Services or Collection Agencies

The Association may, but shall not be required to, refer delinquent accounts to lien services providers or collection agencies for further collection action. These service providers, at the direction of the Board of Directors and on behalf of the Association, may elect to pursue any available method of collection allowable under state law.

Delinquent Statements and Notices

Statement of Account

A Statement of Account reflecting the delinquent balance of a property owner's account is provided to all homeowners each calendar month. [1] The Statement of Account will include applicable late payment charges as detailed above. The Statement of Account is mailed by regular mail and is available on the Resident Portal at www.RealManage.com.

Delinquency Notices

Each subsequent month the property owner's account remains delinquent, the following series of delinquent account notices and demand for payment are included with the Statement of Account in sequential order if the property owner's account balance is greater than or equal to 30 days delinquent (based upon Due Date) and greater than or equal to 1 x Assessment Amount.

Notice 1

The notice shown below will be included on a property owner's Statement of Account when the balance meets the criteria stated above and the previous Statement of Account did not meet the criteria for a delinquency notice.

Delinquent Account Notice

THE ASSOCIATION IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Your account is delinquent. In accordance with the governing documents and policies adopted by the Association, delinquent accounts may be referred to an attorney for legal action, including filing a Notice of a Lien against your property. In addition to all applicable late fees and interest charges, you will be responsible for any collection fees and legal costs. A payment plan is available to you. In order to avoid having your account turned over to an attorney or collection agent you must either pay your delinquent balance in full or contact RealManage to enter into an approved payment plan. There is an administrative fee in connection with a payment plan. You may have special rights or relief related to the enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C. app. Section 501 et seq.), if the owner is serving on active military duty.

Please review your records and contact RealManage if you believe there is a discrepancy. If you have already remitted a payment to bring your account current, please disregard this notice. If this information is correct, please remit a payment in the amount stated above plus any additional amounts that may accrue subsequent to the date of this statement by **<DueDate>** to avoid further collection action.

Thank you for your cooperation in this matter.

Notice 2

The notice shown below will be included on a property owner's Statement of Account when the balance meets the criteria stated above and the previous Statement of Account included Notice 1.

DELINQUENT ACCOUNT - FINAL NOTICE

THE ASSOCIATION IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Your account with the Park Glen Neighborhood Association, Inc. is delinquent. Your balance, including assessments and late charges, due is <CurrentBalance> as of <PreviousDate>.

In accordance with the governing documents and policies adopted by Park Glen Neighborhood Association, Inc., your account will be referred to the Association's attorney for who will be authorized and instructed to file a Notice of Lien against your property. In addition to all applicable late fees and interest charges, you will be responsible for any collection fees and legal costs.

YOU ARE HEREBY NOTIFIED that failure to timely pay your Assessments is a violation of the Association's Declaration. To cure that violation, you must pay your account current within 30 days of the date of this statement.

A payment plan is available to you. In order to avoid having your account turned over to an attorney or collection agent, within 30 days of this notice, you must either pay your delinquent balance in full or contact RealManage to enter into an approved payment plan. There is an administrative fee in connection with a payment plan. You may have special rights or relief related to the enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C. app. Section 501 et seq.), if the owner is serving on active military duty.

Please review your records and contact a RealManage Resident Service Advisor at either 1-866-4-REALSERVICE (1-866-4732573) or Service@RealManage.com if you believe there is a discrepancy. Please reference your 16-digit account number.

If this information is correct, please remit a payment in the amount stated above plus any additional amounts that may accrue subsequent to the date of this statement by <DueDate> to avoid further collection action. A self-addressed envelope is enclosed for your convenience. You may also make an on-line payment at www.realmanage.com.

Thank you for your cooperation in this matter.

Post Final Notice

The notice shown below will be included on a property owner's Statement of Account when the balance meets the criteria stated above and the previous Statement of Account included the "final" notice above or this notice prior to referral to an attorney, lien service, or collection agency for further collection action.

Delinquent Account - Post Final Notice

THE ASSOCIATION IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Your account is delinquent and now pending referral to the Association's attorney in order to pursue further collection action. A payment plan is available to you. In order to avoid having your account turned over to an attorney or collection agent you must either pay your delinquent balance in full or contact RealManage to enter into an approved payment plan. There is an administrative fee in connection with a payment plan. You may have special rights or relief related to the enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C. app. Section 501 et seq.), if the owner is serving on active military duty.

Please review your records and contact RealManage if you believe there is a discrepancy. If you have already remitted a payment to bring your account current, please disregard this notice. If this information is correct, please immediately remit a payment in the amount stated above plus any additional amounts that may accrue subsequent to the date of this statement to avoid further collection action.

Thank you for your cooperation in this matter.

Pre-Referral Statutory Notice

The Association will send a "Pre-Referral Statutory Notice" via certified mail with return receipt requested to a property owner's address of record prior to the referral of an account to the Association's attorney, lien service, or collection

agent in compliance with Texas Property Code Section 209.0064. The notice will be accompanied by an account statement that specifies each delinquent amount and the total amount of the payment required to make the account current. The notice will inform the owner that they can request a payment plan. The notice provides a period of 30 days for the owner to cure the delinquency before further collection action is taken.

Post Referral Notice

Once a property owner's account has been referred to the association's attorney, lien service, or collection agency for further collection action, the property owner will receive the following notice below on their Statement of Account. [2]

Delinquent Account - Post Referral Notice

THE ASSOCIATION IS ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Your account is delinquent and is currently being handled by <VendorName> in order to pursue further collection action. There may be additional fees or costs of collection due which are not reflected on this statement. If you have not already made arrangements to resolve this delinquency, you should contact: <VendorName> at <VendorPhone> if you have any questions regarding your account. You do not have online payment access at this time.

Thank you for your cooperation in this matter.

Use of Regular Mail / Certified Mail

In the event the Association shall send a delinquency notice or demand notice to a property owner by regular mail, the association may also send, but shall not be required to send an additional copy of the notice by certified mail with the exception of the Pre-Referral Statutory Notice which is sent by certified mail.

Waivers

The Association may grant a waiver of any provision herein upon petition in writing by a property owner showing a personal hardship. Such relief granted a property owner shall be appropriately documented in the files with the person representing the Association granting the relief and the conditions of the relief. In addition, the Association is hereby authorized to extend the time for the filing of lawsuits and liens, or to otherwise modify the procedures contained herein, as the Association shall determine appropriate under the circumstances.

Effective Date and Enforcement

The foregoing collection procedure has been adopted by the association by a Board Resolution and is effective as of the date therein. Nothing specified in this document, or the resolution to adopt the policies and procedures contained herein, shall require the Association to take specific actions. The foregoing collection procedure is a directive by the Board of the Association to the Management Company and is intended to be a guide to collection of Assessments owed to the Association. The Board of the Association may at any time revise the foregoing collection procedure and may at any time direct the Management Company to proceed differently with collection of an individual account based on circumstances applicable to that account and advice and guidance from the Management Company or the Association's attorney. Failure by the Management Company or the Board of the Association to follow the foregoing collection procedure shall not in any way affect the property owner's obligation to pay all Assessments when due, along with all applicable late payment charges and costs of collection. To obtain any information regarding this collection procedure or to obtain the most up-to-date collection procedure, a property owner should contact the Management Company.

[1] A Statement of Account and / or a delinquency notice will not be sent in cases whereby the Management Company has received notice of a property owner bankruptcy filed in the U.S. Bankruptcy Court, or a Notice of Foreclosure on the owner's property.

[2] The Management Company will continue to post assessments and applicable late payment penalties to the account. The attorney or lien service may, however, have other charges not reflected on the account or may have entered into payment arrangements not reflected on the account. The Management Company will adjust the account as instructed by the attorney or lien service as notified or at the time of closure.

EXHIBIT B

Phase	Volume	Page	Cabinet	Slide	Recording Date
Phase I	388.216	22,23			06/24/88
Phase I			A	391	04/16/90
Phase II, Sec 1			A	173	07/17/89
Phase II, Sec 2			A	299	12/15/89
Phase II, Sec 3			A	298	12/15/89
Phase II, Sec 4			A	1027	05/15/92
Phase III, Sec 1	388.216	27			06/24/88
Phase III, Sec 2			A	396	04/20/90
Phase III, Sec 3A			A	978	03/06/92
Phase III, Sec 3B			A	1493	10/15/93
Phase IV, Sec 1			A	376	03/16/90
Phase IV, Sec 1			A	328	01/12/90
Phase IV, Sec 2			A	329	01/12/90
Phase V, Sec 1A			A	3149	10/21/96
Phase V, Sec 2A			A	3152	10/21/96
Phase V, Sec 1B			A	3980	01/16/98
Phase V, Sec 2B			A	3979	01/16/98
Phase VI, Sec 1			A	1230	01/29/93
Phase VI, Sec 2			A	2116	02/10/95
Phase VI, Sec 2			A	1230	01/29/93
Phase VI, Sec 2			B	1224	05/26/95
Phase VI, Sec 3A, Unit 1			A	2798	04/08/96
Phase VI, Sec 3A, Unit 2			A	3185	11/08/96
Phase VI, Sec 3B			A	4387	07/27/98
Phase VII, Sec 1			A	1006	04/20/92
Phase VII, Sec 2			A	1666	04/08/94
Phase VIII, Sec 1			A	1229	01/29/93
Phase VIII, Sec 2			A	1229	01/29/93
Phase VIII, Sec 3			A	1229	01/29/93
Phase IX			A	1937	10/10/94
Phase X			A	2934	06/21/96
Phase XI, Sec 1			A	4453	08/28/98
Phase XI, Sec 2			A	4941	04/16/99
Phase XII, Sec 1			A	2138	03/03/95
Phase XII, Sec 1			B	1262	08/08/95
Phase XII, Sec 2			A	3025	08/12/96
Phase XII, Sec 3			A	4127	03/23/98
Phase XII, Sec 4			A	4687	12/08/98
Phase XIII			A	3243	12/17/96

re-plat
re-plat

Notes from Violations Committee
Park Glen Neighborhood Association
January through April 2015

OBJECTIVE

We feel that violations enforcement is seen as the most important function of the HOA (that homeowners would not see anything else as more important).

Looking for consistency and attractiveness across the neighborhood:

- Lawns mowed, edged, watered
- Landscaping – minimum of what the builder provided; trimmed; beds grass-free/weed-free
- Trees – canopies trimmed (not too low); lot not overcrowded
- House appearance – painted, power-washed if needed, shutters intact
- Fences in good repair (boards intact, not leaning, broken posts replaced, posts not showing)
- Fence Height in compliance
- Shutters in good condition
- Doors (garage and front) without damage and painting okay
- Concrete – safe, unbroken sidewalks; serious driveway issues addressed (seal the cracks, clean stains)
- Trash cans not visible
- Newspapers picked up

Would like to increase a sense of responsibility by homeowners, improve/increase communication of violations and how to prevent violations, improve communication correspondence/communication to increase responsiveness to violation notices.

Need to develop a violations priority list. Yard care violations will probably be the priority in growing months. Painting/maintenance issues a priority in colder months. Any kind of blatant violation, obvious lack of repair, or eyesore is always a priority, while any violation likely to be temporary even if we notice it (trash by the street, trashcans out, motorhome in the street) should generally not be a priority. If a potential homebuyer drives down a street, what would make him or her think, “maybe I don’t want to buy in this neighborhood?” That type of violation is always a priority. Chronic violators should be a priority (and our policies and state law allow us to shortcut the process for repeat offenses if recent enough from last offense).

RECOMMENDED TIMELINE OF VIOLATION ENFORCEMENT PROCESS

Drivethroughs twice per month, using a spreadsheet (or more advanced system than that) to track. Possibly split the neighborhood into two parts. Drive through section 1 in weeks 1, 3, 5, etc. and section 2 in weeks 2, 4, 6, etc. Better to stagger the days each time to get a better overview of the neighborhood: e.g. Section 1 on Monday & Tuesday of week 1; Section 2 on Monday & Tuesday of week 2; Section 1 again on Wed & Thu of week 3, Section 2 again on Wed & Thu of week 4, etc.

First Drivethrough:

- Some violations should not produce a notice at all on the first observation. First notice (friendly letter) only on subsequent observation or repeat violation.
- Other violations get friendly letter, which
 - a) should be on Park Glen letterhead,
 - b) be non-threatening,
 - c) not contain a picture, and
 - d) not contain a CCR reference.
 - e) should be more of an appeal to the homeowner's pride in his/her home and community and possibly provoke a little guilt by implying what neighbors might be thinking.

Second Drivethrough (10-14 days later):

- If violation is cured, it is dropped (or maybe even a thank you letter).
- If still present, then send "Official Notice of Violation," which
 - a) should be on Park Glen letterhead,
 - b) contain picture(s),
 - c) state relevant CCR references,
 - d) give a description of consequences, and
 - e) request that violation be cured or homeowner contact management company to come to an understanding (e.g. for more time to cure). Mention 3 ways to contact (phone, email, mail).

After 10-14 days without being cured and no arrangement reached with management company:

- (In our committee meetings, we actually said "30 days" for this step, but I rethought it and am proposing 14 days. I think we may be giving too much time for violations, and all a homeowner has to do to "stop the clock" is contact the management company.)
- Final warning letter:
 - a) sent via certified and regular mail,
 - b) gives an accurate description of the violation,
 - c) warns specifically of fine in a certain number of days (as required by Texas Property Code 209.006). We settled on 30 days as the appropriate amount of time before fining.
 - d) gives notice of opportunity to request a Board hearing within 30 days (as required by 209.006),
 - e) states balance due to the Association (as required by 209.006),
 - f) notifies of special rights if homeowner is serving on active military duty (as required by 209.006),
 - g) notifies that Association may hire a contractor to cure the violation and pass that cost on to homeowner.
 - h) request that violation be cured or homeowner contact management company to come to an understanding (e.g. for more time to cure). Mention 3 ways to contact (phone, email, mail).

After 30 days, without being cured and no arrangement reached with management company:

- assess first \$20 fine (amount is different from current policy)

- send first monthly appeal letter with statement
- Management company notifies Board (monthly violations report) and states whether the Association should hire a contractor to fix the problem and bill the homeowner for the cost.

Every 30 days not resolved:

- assess a \$20 monthly fine (different from our current policy)
- send monthly appeal letter

After 6 months, management company notifies Board (e.g. a monthly violations report) and states whether some advanced action is recommended.

After 6 more months, Board considers what to do:

- file a lien?
- File a certificate of noncompliance?
- take to court to force cure?

QUESTIONS TO BE ANSWERED:

Questions for new management company and/or Association attorney:

- Must open violations be kept confidential from other homeowners, or can we discuss violations, addresses, and pictures in open session?
- Can Liens be filed for violations?
- Do fines have to be cleared in conjunction with a resale certificate (can a new owner be required to pay fines at resale)?
- In what court would we sue to force homeowner to cure a violation? How would that work?
- Will management company make phone or e-mail contact with homeowners about violations?
- Will management company use "door hangers" or hangers placed on trash cans for first notices (would be put out by the inspector at the same time violation is observed)?
- For rental properties, will the management company send violation notices to both the owner and resident (but certified letters would go only to the homeowner)?

Question for the Board, ACC, and management company:

- Which of these courses of action is better for modifications that were not submitted to the ACC (assuming we can identify those)?
 - a) Violation-centered approach: Drive-through inspector makes a judgment on whether the modification is in compliance. If it is, no action is taken. If not in compliance, he cites the property for the violation of standards (not for failure to submit an ACC request). The requested resolution is removal of correction of the violation.
 - b) Aggressive ACC-centered approach: Drive-through inspector makes a judgement on whether the modification is in compliance. If it is (and therefore almost certainly would have been approved by the ACC), no action is taken. If it is not, he cites the property for "Unauthorized Modification / Improvement." The requested resolution is submission of an ACC request and consideration by the ACC.

- c) Passive ACC-centered approach: Management company advises ACC of the modification. Without a request, ACC observes and renders a general opinion of whether the modification is in compliance. If it is, no action taken. If it is not, the property is cited for the violation itself. If ACC cannot render an opinion, the property is cited for "Unauthorized Modification/Improvement."
- What does the Board want to do about trees in yards? We are proud of our trees, but they are being cut down all over the community with no attempt by the HOA to control, prevent, or oversee that.

RECOMMENDED ACTION / CHANGES

Our current policies call for a \$25 initial fine and a \$10 per day subsequent fine after 10 days. We have never done this, and it is not practical. We recommend a \$20 initial and monthly fine. Policies would have to be revised for this change and to correct anything else inappropriate or unwanted. A revised policy would need to be developed, checked by an attorney, presented, approved, and filed. Some of our other, non-violation-oriented policies should be checked and possibly revised as well.

Violation correspondence from management company should always give the three ways to contact and emphasize that a dialog is essential.

Whenever a violation of Fort Worth code is observed, the management company should report the violation to the Fort Worth code compliance department. We'd need to decide whether this would be instead of or in addition to the Association's citing the violation.

The drive through inspector should be observant of issues that should be addressed by the PID6 manager (e.g. sprinklers, neighborhood fences, trash in the park) and report those problem directly to the PID6 manager.

Management company should send a monthly statement any time a balance is owed. If there is a new monthly fine (because violation still has not been resolved), there should be a monthly notice about that going out with the statement.

Need to ensure that homeowner lists are kept current so we don't send violation notices to the wrong names.

Need to look at and revise the bulletins, as appropriate. Even some things in the older bulletins need to be revised. Could do minor revisions or possibly redo it completely to:

- resolve many issues,
- incorporate changes in the law (e.g. solar panels, rain barrels, satellite dishes),
- better explain common violations
- provide unity among various villages, as desired.

Need to revise the Violations/CCR's/Bulletins cross-reference "cheat sheet" and confirm the accuracy of references to CCR's and Bulletins.