

**FONN VILLAS CIVIC ASSOCIATION, INC.  
POLICY REGARDING DEED RESTRICTION VIOLATION HEARINGS**

STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF HARRIS

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WHEREAS, the FONN VILLAS CIVIC ASSOCIATION, INC. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, Section 209.007 of the Texas Property Code was amended by the 87<sup>th</sup> Texas Legislature dealing with the regulation of deed restriction violation hearings; and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish the procedure by which all hearings under Section 209.007 will be conducted.

NOW, THEREFORE, the Board has duly adopted the following *Policy Regarding Deed Restriction Violations*:

**Deed Restriction Violation Hearings**

After receiving a notice pursuant to Section 209.006 of the Texas Property Code regarding a curable violation, an Owner may request a hearing before the Association’s Board of Directors. The request for a hearing must be submitted in writing on or before the 30<sup>th</sup> day after the date the notice was mailed to the Owner.

In response to an Owner’s written request, the Association shall hold a hearing not later than the 30<sup>th</sup> day from the date the request was received. The Board or the Owner may request a postponement, and, if requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.

Not later than 10 days before the hearing, the Association shall notify the Owner of the date, time, and place of the hearing. Hearings may be conducted virtually or in person. Additionally, the Association shall provide an Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing. The packet may be transmitted electronically. If the packet is not available within 10 days of the hearing, the hearing will be postponed for 15 days.

During a hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the Owner. An Owner or the Owner's designated representative is entitled to present the Owner's information and issues relevant to the appeal or dispute.

Following a hearing, the Board shall provide a written decision to the Owner within 15 days.

This policy is effective upon recordation in the Public Records of Harris County, and supersede any prior policies regarding deed restriction violation hearings which may have previously been in effect. Except as affected by Section 209.007 and/or by this policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this \_\_\_\_ day of \_\_\_\_\_ 2021.

**FONN VILLAS CIVIC ASSOCIATION, INC.**

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_