

# COPPER LAKES HOMEOWNERS ASSOCIATION, INC.

PLANNED COMMUNITY MANAGEMENT, INC.  
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Dear Copper Lakes Residents:

In the past year, we have heard your comments and concerns regarding the community of Copper Lakes. Some of the greatest concerns are the protection of the community, preservation of property values, and the enforcement of deed restriction violations. We could not agree more. Some of the specific issues include, but were not limited to:

1. Unmaintained, under watered or overgrown lawns at resident's homes.
2. Unmaintained landscaping at resident's homes.
3. Trash, trash cans or inappropriate objects stored out in plain view at resident's homes.
4. Parking or storage of trailers, recreation vehicles, boats etc.

The Copper Lakes HOA by and through PCMI has sent out numerous letters to certain residents regarding deed restriction violations; sometimes requiring more than one letter in order to achieve compliance. In 2009, the total deed restriction letters sent to residents equaled 985. In 2010 (January – July *only*), the total deed restriction letters equaled 1297. In just one-half of the current year, deed restriction violation letters exceeded the amount from 2009.

Needless to say, but we have found out that many times the letters are not effective in resolving a compliance issue as they are simply ignored by some residents. Sending out the demand letters costs the HOA money; money that sometimes is recouped from the violator, but many times borne by the HOA, *and in turn borne by those residents that follow the deed restrictions through the potential for higher HOA dues.* If you lease your property in Copper Lakes, we admonish you to pay attention to your property as we have also seen at times more violations involving residents who are merely renting.

As such, the Board of Directors of Copper Lakes has decided to implement a Deed Restriction Violation Fine Policy per the covenants, conditions, and restrictions for Copper Lakes. As a result, we are instituting the fine policy enclosed with this letter and the policy will become effective September 15, 2010.

We look forward to having another great year at Copper Lakes and want to let you know that any idea, suggestion, or concern can be shared with any of our board members. You can also contact PCMI, our management company, for any deed restriction violation, Architectural Review Committee application or any other concern regarding the Copper Lakes community.

Sincerely,

Copper Lakes HOA

# Copper Lakes Homeowners Association, Inc.

## Violations & Fine Policy

The purpose of this Violations & Fine Policy is to establish rules and regulations 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 DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE COPPER LAKES HOMEOWNERS ASSOCIATION (henceforth referred to as CCR's).

### I. VIOLATIONS

All properties should be kept neat and well-maintained at all times.

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

- Mowing: Front yard and, if on a corner lot, the side yard of corner lots.
- Edging: Sidewalk, driveway and curb; no runners should be showing on paved surfaces.
- Weed control: Flowerbeds, non-lawn areas, and cracks of sidewalks, and driveways.
- Vegetation requirements: The majority of the front yard will consist of grass or short, maintained vegetation or groundcover.
  - No hard, packed earth or barren spots.
  - Gravel and loose stones cannot be used in lieu of vegetation except in curb areas.
- Yard debris, including lawn clippings and tree & shrub trimmings, must be removed from view after maintenance until trash pick-up day. Blowing, raking or sweeping lawn clippings and leaves into the street is not acceptable, unless for immediate clean-up.
- Pruning: Shrubs may not extend over paved areas. All shrubs on the Lot must be neat and pruned.
- Removing dead plants, shrubs, trees in a timely manner.
- Watering regularly without violating Municipal Utility District conservation directives.
- Keeping lot areas visible from the street picked up and clear of miscellaneous items, which are not meant to be permanently placed in yard.

**Trash receptacles in view:** All trash containers must be hidden from general view except on trash pick-up day. If containers can be seen from the street, they are not out of view.

**Unapproved exterior changes:** All changes to the exterior of the residence, the addition of any structure, fence replacement or installation, painting, roof replacement, and major landscape modifications and installations must be pre-approved in writing by the Copper Lakes Architectural Review Committee. (Refer to CCR'S, Article IV)

**Animals:** All pets must be leashed and under control of the person holding the leash. Enforcement shall be done by Harris County Animal Control. Dogs, cats or any other animals may not be allowed to cause a nuisance. Pets may not defecate on another owner's property. If an incident occurs, the pet's owner must immediately remove the feces from the property. This also applies to the Association's common areas.

**Boats, trailers, and other recreational vehicles and equipment:** May not be parked or stored on any Lot or within the neighborhood without prior written authorization from the Copper Lakes Homeowners Association or Management Company. Special considerations will be given, but limited to thirty-six hours, in the case of preparation and unloading of recreational vehicles and trailers. Removal of the recreational vehicle or trailer for short periods of times, so as to avoid the intent of this provision, shall **NOT** affect the running of the time periods set out herein. Repeated parking and/or storage of boats, trailers, and other recreational vehicles and equipment will be considered habitual, and dealt with accordingly.

*Definitions* - includes, but not limited to, recreational equipment (boats, jet skis, campers, RV's, off-road vehicles, etc.), and trailers (hauling, storage, work, utility, etc.).

**Vehicles:** Vehicles that are regularly parked in view may not be parked on the grass or on sidewalks at any time. No vehicles without a current license plate or inoperable vehicles shall be located on or about any Lot temporarily or permanently. Harris County Sheriff's department will be contacted to enforce procedures to remove abandoned and/or inoperable vehicles from the street and right-of-ways.

*Definitions - inoperable vehicles* includes, but is not limited to, expired registration, expired inspection, without a current license plate, elevated for some period of time and vehicles in need of required parts or maintenance (i.e. missing components, flat or missing tires, etc.).

**Signs:**

- Only one (1) sign for the sale or lease of a home is permissible and must be on a staked device in the front lawn.
- Only one (1) sign is permissible promoting a political candidate, party or issue for a two (2) week period starting no earlier than two (2) weeks prior to the date of the election or referendum and which must be removed no later than the day after the date of the election or referendum.
- Fence signage is limited to "Beware of Dog" signs and legally required notices.
- Article VI, Section 6.9 of the CCR's provides further restrictions regarding signage.

**Window coverings and treatments:** All windows that can be viewed from the street must have fitted window coverings and must be in good condition (no bent/broken slats, no tattered/torn edges). Covering windows with foil, reflective film, blankets, sheets, or paper is not permitted.

**Basketball hoops and skateboard ramps:** Portable or street basketball hoops and skateboard ramps need to be moved near the house or garage when not in use. At no time are portable or street hoops or skateboard ramps to be used or stored in the street.

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

- Window air conditioning units (CCR V, Section 5.14).
- Deferred maintenance of the property or property structures including painted surfaces.
- Miscellaneous unsightly items stored in view.  
Miscellany in Yard - Any items in yard which are not meant to be permanently placed in yard such as household furniture, toys or yard tools.
- Torn window screens.

## II. FINES

The Board of Directors is given express power in the Association's CCR's and Bylaws to adopt and publish rules and regulations to enforce the protective covenants. In order to enforce these rules, the Copper Lakes Homeowners Association Board has also adopted a fining policy to address repeat violations.

The fines collected will be added to the Copper Lakes Homeowners Association account. The Property Manager will provide uniform enforcement and tracking of homeowner violations. The Property Manager will provide regular updates to the Copper Lakes Homeowners Association Board on homeowner communications and status of violation notices.

Notices of violations will be mailed and will include the date, type, and number of the violation. Residents may report violations, but must be verified by the property manager or a Copper Lakes Board member before a violation can be issued.

Fines will be assessed as follows:

- 1<sup>st</sup> violation of a similar kind will result in a warning, no fine, and must be corrected within 10 days.
- 2<sup>nd</sup> violation of a similar kind will result in a \$25 fine and must be corrected within 10 days. Owner's voting rights and their right to use any of the recreational facilities in the Association Common Areas is suspended and Owner is notified of same. Voting rights and use of recreational facilities will be reinstated upon resident's compliance and payment of associated and accumulated fines in full.
- 3<sup>rd</sup> violation of a similar kind will result in a \$50 fine and must be corrected within 10 days.
- 4<sup>th</sup> violation of a similar kind will result in a \$75 fine and must be corrected within 10 days.
- Each subsequent similar kind violation will result in \$100 fine and must be corrected within 10 days.
- If the condition is "cured" and remains "cured" for 180 days after the last noticed violation of a similar kind, the process will begin again as a 1<sup>st</sup> violation.
- If the violation continues without resolution, the Copper Lakes Board shall have the right to undertake any action authorized by the Declaration of Covenants, Conditions, and Restrictions for the Copper Lakes Homeowners Association, including, but not limited to remedying the violation or initiating legal action, the costs of which actions shall be billed and/or taxed to the homeowner and collected in the same manner as assessments.

Definition & Example: The 2<sup>nd</sup> notice for a violation, or the 2<sup>nd</sup> violation of a *similar kind*, will result in a \$25 fine and each subsequent similar violation will incur an additional fine. Example: 2 notices falling under the violation category of "Yard Maintenance Needed" will receive an initial \$25 fine. This can be any combination of mowing, edging, weed control, etc.; not just 2 notices to mow, or 2 notices to edge.

The costs incurred by the Association in enforcing against restriction violations, including but not limited to the cost of certified letters and the cost of photographs of the violation(s), shall be charged to the Owner pursuant to Article VII, Section 7.8 of the CCR's. Interest shall be charged on all costs of collection as provided for in Article VII.

When a fine is assessed, the owner will receive the notice of violation, evidence of the violation, which may be a picture, statement, or other report of violation, and an invoice showing the fine has been added to their assessment account. Prior to a fine being levied, the owner will have the opportunity to contest the violation and any fine that is assessed against their assessment account by contacting Copper Lake's management company in writing. The Copper Lakes Board of directors will review the appeal and will provide final decision, which will be communicated to the owner. Once an owner corrects their violation and pays all amounts owed to the Association, their voting rights and rights to use the recreational facilities in the Association Common Areas shall be restored.

These fines are guidelines for standard fines only. The Board reserves the right to levy lesser or greater fines, and provide additional warnings or fewer warnings before fines are made.

### III. SUMMARY

The goal of adopting this policy for violation notification is to uphold the overall quality of the neighborhood and to make the homeowners aware of ongoing problems that affect their neighbors and the community. The violation process includes multiple notifications, ample time to take corrective actions, and fair enforcement by an objective third party.

This fining policy is to provide an incentive to homeowners to address ongoing problems that are going without correction. Refusal to take corrective actions when notified must be followed up with a monetary penalty that is contributed to the process of improvement for our neighborhood.

This policy was adopted by the Copper Lakes Homeowners Association, Inc. Board of Directors and, by Resolution of the Board of Directors, is effective on August 1, 2010.