



Firethorne Community Association, Inc.
Fining Policy

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Firethorne, a Texas nonprofit corporation, is filed with the Real Property Records of Fort Bend County, Texas, under Clerk's File No. 2005032616, along with any supplements or amendments thereto (collectively referred to as the "Declaration"); and

WHEREAS, Article X, Section 8 of the Declaration authorizes the Firethorne Community Association, Inc. (the "Association"), through its Board of Directors, to impose fines and other sanctions for violations of the governing documents and to collect such fines in the same manner as assessments; and

WHEREAS, Texas Property Code § 209.0061 requires a property owners' association that is authorized by its dedicatory instruments to levy fines to adopt a fine policy specifying the categories of restrictive covenants subject to fines, the schedule of fines for each category, and information regarding hearings under Texas Property Code § 209.007; and

WHEREAS, the Board of Directors desires to adopt a fine policy consistent with the authority granted in the Declaration and the requirements of Texas Property Code Chapter 209.

NOW, THEREFORE, the Board of Directors hereby adopts the following policy:

I. Fining Process

a. **Initial Warning Letter.** An initial warning letter, complying with § 209.006 of the Texas Property Code (or any applicable successor statute), will be sent to the Owner by certified mail, stating that:

- The Owner is entitled to a reasonable period to cure the violation (if the violation is curable and does not pose a threat to public health or safety) and avoid the fine.
- The Owner may request a hearing under § 209.007, Tex. Prop. Code, on or before the 30th day after the notice was mailed.
- The Owner may have special rights or relief related to the enforcement action under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.), if the Owner is serving on active military duty.

b. **Repeat Violations Within Six Months.** If the Owner has previously been given notice for the same violation within the last six (6) months, the Association may move directly to the fining provisions in subsection (c) below without sending an initial warning letter.

c. **Fine Assessment Schedule.** Unless otherwise determined by the Board pursuant to Section IV of this policy, the amount to the fine to be levied by the Association for each category of violation listed in Section II of this policy is:

- \$50.00 for uncurable violations; and
- \$10.00 per day for curable violations if the violation is not cured within the first thirty (30) days following the sending of the initial warning letter.

The matter may be referred to an attorney or debt collector for further enforcement in the Board of Directors' discretion.

II. Categories of Violations Subject to Fining Process

The following categories of violations are subject to fines under this policy:

- Architectural Violations
- Exterior Maintenance Violations
- Landscaping Violations
- Trash and Debris Violations
- Parking and Vehicle Violations
- Nuisance and Noise Violations
- Rental Violations
- Holiday Decoration Violations
- Other Violations of Governing Documents

III. Request for Hearing

The Owner has a right to request a hearing before the Board pursuant to Texas Property Code § 209.007 before a fine is levied. Any hearing shall be conducted in accordance with the procedures set forth therein.

IV. Enforcement

This fining policy is not a guarantee that the Association will follow each step of the policy in every circumstance. The Association may, for example, move directly to referral to legal counsel if the Board determines that immediate legal action is required. The methods for the enforcement of the Association's restrictions, rules, regulations, and guidelines will continue to be determined in the sole discretion of the Board. Nothing in this policy requires the Association to levy fines. The Board retains sole discretion as to whether or not to impose fines for any particular violation. Additionally, the Board of Directors reserves the authority to levy a fine from the schedule of fines that varies on a case-by-case basis as permitted by § 209.0061(c).

All fines assessed under this policy are due immediately upon assessment and will be collected as provided in the Declaration for the collection of assessments.

CERTIFICATION

I certify that a majority of the Board of the Association adopted the foregoing policy, at a duly called and convened meeting of the Board held on September 25, 2025.

Date: 9-25-25

Firethorne Community Association, Inc.



Robin Short, President

STATE OF TEXAS

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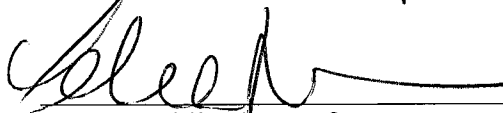
COUNTY OF FORT BEND

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Before me, the undersigned authority, on this day personally appeared Robin Short, President of Firethorne Community Association, Inc., a Texas nonprofit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 25 day of Sept, 2025.





Notary Public, State of Texas