Willow Wood (Shavano Park) Homeowners Association, Inc.

GUIDELINES FOR ENCOURAGING MEMBER COMPLIANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS & RESTRICTIONS ("THE DECLARATION")

POLICY

1. **Authority of the Association's Board of Directors.**
   The Declaration and Bylaws (the "Governing Documents") authorize the Board of Directors of the Willow Wood Homeowners Association (the "Board") to establish policies, rules, and procedures for enforcement of the requirements and prohibitions of the Declaration in order to encourage and, when necessary, compel compliance by Members of the Association. This policy and procedure is intended to serve as a summary of the provisions found in the Governing Documents and shall not be construed to expand, alter or supersede any of those provisions.

2. **Owner's Responsibility.**
   Lot Owners within the subdivision are Members of the Association, and are responsible for complying, and ensuring compliance by their tenants, invitees, and guests, with the Declaration. In the event of non-compliance by tenants, invitees, or guests who are not Members of the Association, the Association will notify the Member, who will be responsible for corrective action and for any fines or assessments imposed for non-compliance.

3. **Abatement; Schedule of Notices and Fines.**
   The Association will encourage Members to cure or abate violations of the Declaration voluntarily before assessing a fine or penalty. A courtesy notice begins the compliance process. If no courtesy notice or cure notice has been issued to the Owner for the same or a substantially similar violation during the preceding six months ("first violation"), a courtesy notice of the violation will be sent to the Member, but no fine or penalty will be assessed. If a courtesy or cure notice was sent during the preceding six months for the same or substantially similar violation, on the other hand, a second courtesy notice will not be sent. Instead, a fine in the amount specified in the attached Exhibit 1--Schedule of Fines will be assessed, and notice thereof will be given in a cure notice issued to the Member.

   All courtesy notices and cure notices mailed to a Member will be sent to the address of the Lot as shown in the Willow Wood Neighborhood Directory, unless the Member does not occupy the residence and has given written notice to the Association of another mailing address.

   If a violation remains uncorrected for more than 30 days after the first cure notice (a "continuing violation"), an additional fine in the amount specified in Exhibit 1--Schedule of Fines will be automatically assessed. If the violation remains uncorrected after 30 additional days, additional fines will be assessed automatically.

For each 30 days that a violation remains uncorrected after the first cure notice, the Manager may send additional notices of the automatic fine(s) to the Member, but failure to send such notices for a continuing violation will not preclude the automatic assessment of additional fines for so long as the violation remains unabated.

At the hearing of a Member's appeal of a fine for the construction or alteration of flatwork, fencing, a swimming pool, or any structure on the Lot because of location, height, color, or exterior surfaces, the Board may in its sole discretion adjourn the hearing for up to 30 days, to allow the parties to consult with the Architectural Control Committee ("ACC"). In that event, the schedule of fines will be suspended for the period of adjournment. When the hearing is resumed, the Board may determine the amount of the fine, if any, to be assessed.

All courtesy notices and cure notices will be sent by the Association's Management Company (the "Manager").

4. **Member's Right to Appeal.**
A member may request a hearing before the Board in two circumstances.

   (a) A Member may appeal an initial fine assessed against him/her for a violation of the Declaration if, within 30 days after receiving the first cure notice, the Member submits to the Manager a written request for a hearing before the Board. Failure by the Member to make a timely appeal or to appear at the requested hearing will constitute a waiver of the right to appeal the fine and any additional fines as may subsequently be assessed for failure to cure the same violation. The fine will be due and payable within 30 days after receipt of the initial notice of same, but the payment period will be suspended during the pendency of a request for hearing, and will resume after the hearing unless the fine is revoked.

   (b) If the Board is inclined to remedy a continuing violation by exercising the Association's right to enter upon a Lot to cure or abate the violation through self-help (also called "HOA intervention" herein) and to charge the expense thereof to the Member (a "Reimbursement Assessment"), it will give written notice of the potential action to the Member, who may request a hearing before the Board, provided s/he does so within 30 days after receiving the notice. Failure by the Member to make a timely hearing request or to appear for a requested hearing will waive the Member's right to such a hearing, and the Board may decide in the absence of the Member whether to enter upon the Lot to cure or abate the violation through self-help.

5. **Conduct of the Hearing.**
Any hearing will be conducted by the Board. The case for affirming the fine or ordering entry upon the Lot to correct the violation, as applicable, will be presented by a person appointed by the Board, and the Member or his/her representative may present the case for revoking the fine or foregoing entry, as applicable. Both presenters may submit evidence, and the Board may question the presenters and witnesses, if any. The Board will have exclusive authority to affirm, revoke, or modify fines and/or impose corrective measures.

6. **Judicial Enforcement.**
The imposition of one or more fines for a violation shall not be deemed a waiver of the Association's right to pursue additional remedies for the violation. In addition to the assessment of fines and the use of self-help abatement measures, the Board shall have the right, but not the obligation, to enforce restrictions and covenants of the Declaration by judicial process, including actions for the collection of unpaid fines and for writs of mandamus or injunction. Upon prevailing in any such action, the Association will be entitled to recover its attorney's fees and costs of court. Failure to enforce any covenant or restriction shall not be deemed a waiver of the right to do so thereafter.

PROCEDURE

1. **Who may report an Owner's violation of the Declaration's requirements:**
Any Member/Lot Owner of the Association, the ACC, or the Manager.

2. **What the report should contain:**
A report asserting that a Member is violating a requirement or prohibition of the Declaration should be in writing, and may be made by hand-delivery, regular mail, or electronic mail (e-mail), but not by text message, addressed to the Manager, as identified in the Willow Wood Neighborhood Directory. The notice should--

    - Identify the Lot, i.e., street address of the alleged violation(s) and the Owner or occupant of the Lot, if known;
    - Describe the alleged violation with sufficient detail to allow the reader to assess what condition(s) require(s) correction;
    - Indicate the date(s) when the offending condition(s) was/were observed; and
    - Include a photograph(s) of the offending condition(s) (preferred but not required).

3. **Review and action by the Manager:**
The Manager will review the report and assess whether the condition(s) constitute(s) one or more violations of the Declaration. The Manager may request additional information from the author of the report and visit the Lot as part of its review. If it finds that no violation has been shown, the Manager may so advise the author of the report by email or other correspondence. If it finds that the condition(s) violate(s) one or more provisions of the Declaration, it will send notice of the violation to the Owner and request compliance.

    (a) If no courtesy notice or cure notice has been issued to the Owner for the same or a substantially similar violation in the preceding six months ("first violation"), the Manager will send the Owner a courtesy notice of the violation by regular mail, requesting compliance within 30 days. If a courtesy or cure notice has been issued for the same or a substantially similar violation in the preceding six months ("continuing violation"), however, the Manager will send

another cure notice (first, second, or subsequent, as applicable) by regular mail, again requesting compliance within 30 days.

(b) The Manager will inform the Board by e-mail of the issuance of all courtesy notices and cure notices within ten days after issuance. The Manager may simply attach a copy of the notice(s), or alternatively, provide a description of each notice. The Board may in its discretion revoke a courtesy notice or cure notice without a hearing, and will thereupon notify the Member and the Manager of its action by e-mail or regular mail.

4. **Contents of Courtesy Notices and Cure Notices:**
(a) A courtesy notice will:

- State the date of issuance;
- Describe the alleged violation with sufficient detail to allow the reader to assess what condition(s) require(s) correction;
- Include photograph(s), if any, of the offending condition(s);
- Identify the provision(s) of the Declaration being violated; and
- Inform the Owner that failure to cure the violation(s) within 30 days of the notice may result in the imposition of a fine.

(b) A cure notice will contain the same information as a courtesy notice, but will also state:

- The amount of the fine being assessed (see Exhibit 1--Schedule of Fines);
- Whether it is a "first cure notice," "second cure notice," or "third cure notice," etc. as applicable, based on the number of cure notices previously issued for the same or a substantially similar violation in the six months preceding the current cure notice.
- The Owner's obligation to pay the fine within 30 days after the date of the notice;
- The Owner's right to appeal the fine within 30 days after the date of the cure notice, by making a written request to the Manager by hand-delivery, regular mail, or electronic mail (e-mail) for a hearing before the Board; and
- That if the Owner timely requests a hearing, the 30-day period for payment of the fine will be suspended during the pendency of the request for hearing, but will resume at the conclusion of the hearing unless the Board revokes the fine.

(c) The second or subsequent cure notices for a continuing violation will not give the Owner the option to appeal the fine by requesting a hearing.

5. **Manager's Action on Request for Hearing:**
Upon receiving an Owner's request for a hearing on the fine assessed for a first cure notice, the Manager will promptly--

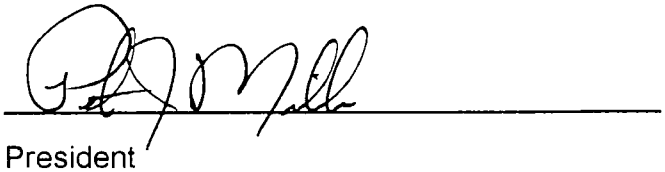
- Inform members of the Board of the request by electronic mail;
- Furnish each member of the Board a copy of the hearing request, and all notices, correspondence and evidence related to the violation within the six months preceding the most recent first cure notice.

6. **Board's Response to Request for Hearing:**
Upon receiving notice of the request for hearing, the Board will use its best efforts to --

- Place the hearing on the agenda for consideration and action at an open Board meeting for which timely notice has been given to all Members;
- Not later than 10 days before the hearing, provide a packet to the Owner by personal delivery, regular mail, or electronic mail (e-mail) to the last address for the Owner shown on the Association's records. The packet will specify the date, time, and place of the hearing, and will contain all documents, photographs, and communications relating to the matter which the Association may introduce at the hearing Failure to provide the Owner with the packet by the deadline will entitle the Owner to a 15-day postponement of the hearing;
- Begin the hearing by inviting a person appointed by the Board to present the case for the imposition of the fine and/or the Board proposal to abate the violation by entry upon the Lot, then invite the Owner or his/her designated representative to present the Owner's case in opposition to the fine and/or proposal;
- Allow the Owner and the Directors to ask questions of the presenters and witnesses, if any; and
- At the conclusion of the hearing, allow comments by Directors and decide by majority vote whether to affirm, reduce, or revoke the fine and/or order entry upon the Lot to abate the violation.

7. **Notice of Board's Decision, Payment of Fine:**
The Manager will use its best efforts to give written notice of the Board's decision to the Member by hand delivery, regular mail, or electronic mail within 15 days after the hearing. If the Board has affirmed all or part of the fine, payment must be made by the date specified in Section 4 of this Procedure. A fine that remains unpaid after the due date will bear interest at the maximum rate permitted by law or, if there is no maximum rate, then at the rate of 1 and 1/2 % per month. The unpaid fine, plus interest, will be considered an Assessment secured by a lien on the Lot granted to the Association by the Declaration.

ADOPTED by the Willow Wood Board of Directors on this 13 day of December, 2023 and made effective this date.



President

Willow Wood (Shavano Park) Homeowners Association, Inc.

EXHIBIT 1 -- SCHEDULE OF FINES

Note: The Declaration details a wide variety of covenants, conditions, easements, and restrictions. This Schedule of Fines is intended to give the reader a quick reference to the probable consequences of the most common violations. It is not intended to catalogue every potential violation, for such a document would be of considerable length and would unnecessarily duplicate the Declaration itself. When in doubt about whether a particular condition or practice is permitted, the reader should consult the Declaration.

Consequences by Category

All courtesy notices and cure notices will request compliance within 30 days, failing which an additional notice will be sent.

CATEGORY A: Maintaining the Appearance of One's Yard. *Examples:*

- Failure to keep grass and vegetation mown and trimmed
- Failure to remove weeds in any season; or to remove trees, shrubs, or vines which do not show signs of life when summer arrives
- Failure to screen air conditioning, pool, or other mechanical equipment from street view by installing fencing or landscaping
- Accumulation of rubbish, trash, or debris on Lot (exception: residents may place items eligible for the City's semi-annual brush/bulk pickup at curb no more than one week before scheduled pickup)
- Failure to provide adequate containment for construction debris
- Failure to trim shrubbery or trees intruding on common sidewalk at its edge or below 8 feet in height

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
A	No Fine	$50 Fine	$100 Fine, HOA Intervention	$150 Fine, HOA Intervention	$200 Fine, HOA Intervention

CATEGORY B: Actions Detracting From Neighborhood Appearance. *Examples:*

- Parking any boat, camper, RV, trailer, inoperable or commercial vehicle in front of a residence for more than 24 hours, or elsewhere on the Lot without an enclosure approved by the ACC
- Placement or erection of children's play equipment contrary to the requirements of Exhibit E, Section (c)(3) of the Declaration
- Installation of solar panels, satellite dishes, or antennas without the prior approval of the ACC
- Placing trash containers on the street earlier than the day before, or leaving them on the street later than the day of garbage pick-up
- Failure to provide adequate planting or fencing to screen trash containers from street view

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
B	No Fine	$50 Fine	$100 Fine (Automatic)	$150 Fine (Automatic)	$200 Fine (Automatic)

CATEGORY C: Unauthorized Signs or Displays. *Examples:*

- Display of "for sale" or "for lease" signs without ACC approval
- Display of political signs more than 90 days before or 15 days after the election to which they pertain
- Display of any signs in common areas without prior approval of the HOA Board
- Display of holiday decorations more than 60 days before or 30 days after the holiday to which they pertain

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
C	No Fine	$50 Fine	$100 Fine (Automatic)	$150 Fine (Automatic)	$200 Fine (Automatic)

CATEGORY D: Creating a Nuisance to Others. *Examples:*

- Keeping poultry or vicious or dangerous pets/breeds (common household pets permitted)
- Failure to control common household pets with a leash or similar restraint when the pet is not confined within the Lot
- Discharging a firearm (including BB guns and pellet guns) or fireworks within the subdivision
- Use of any bow and arrow, slingshot, paintball or other launching device outside the confines of the Lot
- Excessive noise detrimental to neighbors' quiet outdoor enjoyment

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
D	No Fine	$50 Fine	$100 Fine (Automatic)	$150 Fine (Automatic)	$200 (Automatic)

CATEGORY E: Failure to Comply With ACC Requirements. *Examples:*

- Failure to request approval by the Architectural Control Committee of the construction or alteration of flatwork, fencing, a swimming pool, or any structure on the Lot when ACC approval is required by the Declaration
- Failure to comply with a decision of the ACC, or if appealed to the Board, a decision by the Board, with respect to the location, height, color, or exterior surfaces of such construction or alteration

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
E	No Fine	$200 Fine	$250 Fine (Automatic)	$300 Fine (Automatic)	$300 Fine (Automatic)

CATEGORY F: Use of Residence for Intrusive Business. *Examples:*

- Conducting professional, business, or commercial activity at a residence to which the general public is invited
- Employing a person other than an occupant of the residence for such business activity
- Conducting a business which generates vehicular or pedestrian traffic noticeably greater than is typical of other residences not conducting a business

Cat.	Courtesy Notice	1st Cure Notice	2nd Cure Notice	3rd Cure Notice	Subsequent Cure Notices
F	No Fine	$50 Fine	$100 Fine (Automatic)	$150 Fine (Automatic)	$200 Fine (Automatic)

CERTIFICATE OF ACTING PRESIDENT

Willow Wood (Shavano Park) Homeowners Association, Inc.

(Bexar County)

The undersigned, Peter Miller, hereby certifies that he is the Acting President of the Willow Wood (Shavano Park) Homeowners Association, Inc., a Texas non-profit corporation, which is duly organized and existing under the laws of the State of Texas. The undersigned hereby further certifies as follows:

Attached hereto in accordance with the provisions of applicable laws are a true and complete copy of the Guidelines For Encouraging Member Compliance With the Declaration of Covenants, Conditions, Easements and Restrictions, and of Exhibit 1--Schedule of Fines, attached thereto and incorporated therein, which are in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of December 2023.

Peter Miller, Acting President

ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on the 19th day of December 2023 by Peter Miller, Acting President of the Willow Wood (Shavano Park) Homeowners Association, Inc., a Texas non-profit corporation, on its behalf, who stated before me that the foregoing is true and correct to the best of his knowledge and belief.

Notary Public, State of Texas

NOTARY PUBLIC
Yvonne Lopez
Exp. 07/15/2025
ID No. 7089429
STATE OF TEXAS

AFTER RECORDING, RETURN THIS INSTRUMENT TO:

Diamond Association Management & Consulting

14603 Huebner Rd., Bldg. 40

San Antonio, Texas 78230

File Information

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LUCY ADAME-CLARK, BEXAR COUNTY CLERK

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 1/2/2024 2:52 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk