DOC #2020087006

LAKE FOREST FALLS, INC.
LAKE FOREST FALLS SUBDIVISION
DEED RESTRICTION COMPLIANCE COMMITTEE (DRCC)
COMPLIANCE PROCEDURES

Return to: **Lake Forest Falls Inc.**
PO Box 1232
Conroe, TX 77305

Mandate

The Board of Directors (the "Board") has given the Deed Restriction Compliance Committee ("DRCC") authority to determine violations of the Deed Restrictions.

Scope: The intent of the DRCC is to be a means for the community to address deed restriction compliance. It is an impartial body that makes recommendations to the Lake Forest Falls Board for action.

All requests for a hearing from property owners must be in writing and will be made to and heard by the Board.

The DRCC

1. There will be 5-9 members. A simple majority rules.
    a. Quorum will consist of 1 plus half of committee.
    b. Members of the DRCC will be active property owners in good standing; and may consist of LFF Board members.
    c. Members of the DRCC may be:
        i. Nominated or volunteer and approved by the committee with majority vote of members present
        ii. Appointed by the LFF Board

2. The DRCC will have the following positions for 1-year terms:
    a. Chair - presides over the meetings and is liaison with the Board
    b. Assistant Chair - acts in absence of chair
    c. Secretary - takes minutes of the meetings
    d. Corresponding Secretary - sends out notices to property owners and copies to the Board
    e. Historian - maintains the log of violations, distributes to the DRCC any time a change is made and to the Chair in time for the meeting with the Board

3. Meet at least monthly in person

Procedures

1. Violations are identified and reported to the DRCC
   b. In writing to PO Box 1232, Conroe, Texas 77305
   c. By phone or in person to any Board member
   d. By email to drvc@lakeforestfalls.com
   e. Elements of complaint must contain the following:
      i. Person reporting the potential violation
      ii. Date of potential violation
      iii. Address of potential violator
      iv. Specific Deed Restriction being violated
      v. Photo of non-compliance (public street view) – optional
      vi. Suggestion of remedy - optional
   f. Potential violation is reported to the entire DRCC by email or phone
      i. DRCC logs potential violation and conducts fact finding assessment or drive by
      ii. DRCC attempts to conduct verbal visit with violator to determine situation (Optional within a 5-day period)
      iii. Visit is best done by 2 DRCC members
      iv. Visit is non-threatening and neighborly in approach
      v. Visit is may include violator plan of action and verbal feedback to DRCC
      vi. Verbal visit notes should be added to log.
      vii. If verbal visit is not possible, proceed to step 2

2. DRCC takes votes to confirm potential violation is present by simple majority
   a. If DRCC determined that no violation exists, the DRCC will not log in as a possible violation
   b. If DRCC determines that violation does exist, violation will be logged
   c. DRCC issues written "Violation Letter" to violator (recommend draft letter be review by another DRCC member for accuracy prior to mailing)
   d. Standard notice sent by regular mail (and email if the email address is known)
      i. Date notice with 10 days to comply
      ii. Detail violation
      iii. Detail suggested remedy
      iv. Note consequence for failure to comply
      v. Violator must correct issue or contact DRCC during 10-day compliance period to avoid Step 4
   e. Log is updated with the date of Violation Letter being sent

3. Violator Feedback: Violator is now formally bound to take action and may pursue a variety of steps:
   a. Violator corrects problem
   b. Violator partially corrects issue, then a "Thank You Letter" may be sent, violator may request more time to comply from DRCC
   c. Violator takes no action at which time the DRCC escalates its concern to Board as an agenda item at next board meeting
   d. "209 Letter" will be sent, depending on above actions.

4. DRCC issues "209.006 Letter"
    a. Must be sent by certified return receipt mail with copy sent by regular mail and email if email is known
    b. Include description of apparent violation
    c. Include 30 days to remedy violation or request hearing
    d. Include statement of property owner's right to request a hearing under Texas Property Code §209.007
    e. Violator may request feedback from DRCC/Board
        i. DRCC provides necessary feedback to violator
        ii. Board Hearing requested.
    f. Include consequences for further failure to comply
        i. Info that the Board may take action to remedy situation
        ii. Costs will be assessed to owner
    g. Include consequences for failure to pay

5. Board Meeting
    a. Items added to Board Agenda one week in advance of meeting. Board Secretary will distribute and post to Board members only and use item numbers, not names, for discussion. Agenda Items may include:
        i. Violations being processed by DRCC and their status, photo evidence as available
        ii. Violator escalation or board hearing
        iii. DRCC general feedback.
    b. Log will only show open items for Board concerns. All other details and changes to the log will also be included but "filtered" out of immediate view. Board will have access to log in the event details are needed.
    c. If violator does not request a hearing, Board will discuss each open item and may certify or reverse DRCC's violation determination, or direct next step
    d. Board Hearings requested by violator may:
        i. Stay DRCC action and close violation
        ii. Alter DRCC action and remedy, providing direction
        iii. Maintain DRCC position and action and approve "Fine Letter"

6. DRCC issues "Fine Letter" and invoice for fine of $100.00, 30 days after "Certified 209.006 Letter" sent and still no compliance
    a. Send "Fine Letter"
    b. Becomes part of property owner's debt to subdivision, handled just like annual maintenance fees

7. No violator response to "Fine Letter" requires DRCC to place violator's noncompliance on Board agenda meeting.

8. Board will contact Attorney for legal feedback/remedy and will continue with legal proceedings to correct open unresolved violations. DRCC will be notified if correction occurs so log can be updated.

These Compliance Procedures may be altered, amended or repealed and Compliance Procedures may be adopted by a majority of the Directors present at any regular meeting or at any special meeting, if at least ten days written notice is given to the Directors of the intention to alter, amend, or repeal or to adopt new by-laws at any such meeting.

James Kuykendall, Director

Corporate Acknowledgment

The State of Texas

County of Montgomery

Before me, the undersigned, a Notary Public on this day personally appeared known to me (or proved to me on the oath of) James Kuykendall to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Lake Forest Falls Inc. a corporation, and that she had executed the same as the act of Director of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this day of August 13, 2020.

Jessica Kathleen Legan
My Commission Expires
08/30/2023
ID No. 126784582

Notary Public, State of Texas

(PERSONALIZED SEAL)

Jessica Legan
Printed name of Notary Public

My commission expires on the 30 day of August 2023.

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FILED FOR RECORD
08/13/2020 10:01AM

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS,
COUNTY OF MONTGOMERY
I hereby certify that this instrument was filed in the file number sequence on the date and time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

08/13/2020

County Clerk
Montgomery County, Texas