

Villas at Newport Community Association
Collection Procedures
Effective December 12, 2023
Replaces Document filed under Clerk's File No. RP2021-650105

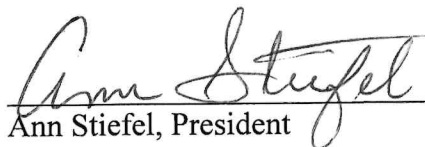
Coupons for the payment of annual assessments will be issued annually. The coupons will be mailed no later than December 1st of the preceding year. Included with the coupons will be a separate coupon for property owners desiring to pay annually/in advance.

1. A statement for any past due amounts (assessments, attorney fees and/or collection or administrative charges) will also be included with the coupons.
2. Accounts that are more than 10 days past due will be charge a late fee of \$25.00 per month.
3. Statements for delinquent assessments will be mailed at least quarterly.
4. Payment plans will be available on delinquent accounts. When a payment plan is entered into, future late fees will be suspended against the account, provided the owner remains current under the terms of the payment plan. Pursuant to Section 209.0062 of the Texas Property Code, the term for re- payment under payment plans shall have a minimum of three (3) months and may not exceed eighteen (18) months in duration. There will be a one-time administrative fee of \$75 for preparation of the payment plan.
5. Prior to filing a lien, accounts that are at least six months delinquent, a demand letter will be sent via certified mail, return receipt requested and first-class mail. The letter will inform the property owner of the delinquency, their right to enter into a payment plan, and because of this delinquency, if no payment plan is entered into, a lien will be placed on the property and a lien fee in the amount of \$200.00 will be charged to their account for the attorney's fees incurred for preparation of the lien.
6. Accounts that are at least six (6) months delinquent will be reviewed by the Collections Manager. A search of the real property and bankruptcy records will be performed, and a notice of delinquency will be sent by first class mail to the last known address provided to the Association. If payment arrangements are not made within thirty (30) days of the notice of delinquency, a demand letter as required under Chapter 209 of the Texas Property Code will be sent to the property owner at the last known address via certified mail, return receipt requested ("209 Letter"). An administrative charge of \$75 to cover the expense for searches and postage will be assessed against the property owner's account. If payment arrangements are not made prior to the end of the forty-five (45) day period following the sending of the 209 letter, the Board of Directors of the association may approve sending the owner's account to the association's attorney

for collection. When an account is sent to an attorney for collection, the attorney will be provided with a current account history, copy of demand letter and green card. The Collections Manager, will direct the attorney to file all collection matters with open deed restriction violations in County or District Court. The Collections Manager shall direct the attorney to either immediately file a lawsuit in County or District Court or file an Assessment Lien against the delinquent owner's property ninety (90) days following the date of the 209 Letter for accounts with no deed restriction violations. The property owner's account shall be debited for the attorney fees when the association is billed by the attorney.

7. Once a judgment is obtained, it will be abstracted and filed in the real property records of Harris County, Texas. The Association may immediately proceed to foreclosure on past due accounts and judgments, after being reviewed by and as directed by the Board of Directors In any open Board meeting. All accounts on which a judgment is obtained will be reviewed annually for further action and will be calendared for nine years and six months for renewal of the abstract, if necessary. The Board will also consider all other legal means for collection and enforcement of such past due accounts and judgments, which collection efforts may be implemented as directed by the Board.
8. A status report on all payment plans will be presented to the Board at the Board's regular meeting.
9. Application of Delinquent Assessments. Pursuant to Article 209.0063 of the Texas Property Code, payments received from a property owner shall be applied to the owner's account in the following order of priority:
 - a. Delinquent Assessments.
 - b. Current Assessments.
 - c. Attorney fees in connection with the collection of delinquent assessments and all other charges, including collection costs, late fees, interest, self-help and administrative charges that constitute a lien on the property and could provide the basis for foreclosure.
 - d. Other Attorney fees.
 - e. Other Collection Costs.
 - f. Other Late Charges.
 - g. Other Administrative Charges

This policy was adopted by the Board of Directors at its regularly scheduled meeting on December 12, 2023.


Ann Stiefel, President

Notes to collection procedures:

1. The months shown above are based on a January to December fiscal year.
2. All collection action is halted when an approved payment plan is established and kept active (current).
3. All collections action is halted when a property owner files bankruptcy. The Collection Manager will file a proof of Claim as a secured creditor when notice of the bankruptcy is received.
4. Whenever the Association sends a demand letter via certified mail, return receipt requested, a copy of that letter should also be sent to the addressee via regular mail.

FILED FOR RECORD

2:04:55 PM

Monday, February 5, 2024

Leneshia Hudspeth

COUNTY CLERK, HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED; in the Official Public Records of Real Property of Harris County Texas

Monday, February 5, 2024



Leneshia Hudspeth

COUNTY CLERK
HARRIS COUNTY, TEXAS

AFFIDAVIT FOR THE FILING OF DEDICATORY INSTRUMENTS

THE STATE OF TEXAS

COUNTY OF HARRIS

WHEREAS, SECTION 202.006 of Title 11 of the Texas Property Code requires that a property owner's association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS, Villas at Newport Community Association (the "Association") is a property owner's association as the term is defined in Title 11 of the Texas Property Code.

NOW, THEREFORE, true copy of the following dedicatory instrument of Villas at Newport Community Association adopted December 12, 2023 is attached hereto, including:

COLLECTION PROCEDURES

FURTHER, other dedicatory instruments of Villas at Newport Community Association have already been filed in the public records of Harris County.

Carol Jones

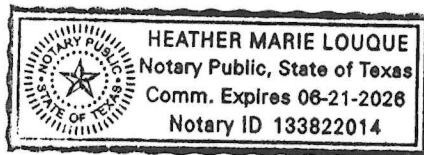
Carol Jones, Manager

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Carol Jones, whose position is Manager for Villas at Newport Community Association, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed same for the purposes and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this 2nd day of February, 2024.



Heather Marie Louque
Notary Public for the State of Texas

Return to:

Villas at Newport Community Association

P.O. Box 1362

Crosby, Texas 77532