

Resolutions & Policies
Bellaire Gardens HOA

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Notice
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20120110298
03/14/2012 RP1 \$20.00

BELLAIRE GARDENS HOME OWNERS ASSOCIATION

PAYMENT PLAN POLICY EFFECTIVE JANUARY 1, 2012

This payment plan policy was approved by the Board of Directors for Bellaire Gardens Home Owners Association on the 3rd day of December, 2011 which policy is to be followed when an Owner requests a payment plan for delinquent regular or special assessments or any other amount owed to the Association.

1. Owners are entitled to pay their assessments according to the terms of this approved payment plan policy, as long as an owner has not failed to honor the terms of a previous payment plan during the past two (2) years;
2. All payment plans require a down payment and monthly payments;
3. Upon request, all Owners are automatically approved for a payment plan consisting of Ten Percent (10%) down, with the balance paid off in monthly installments (no less than three months and no more than 18 months).

Amount outstanding:	Plan Length:
For amounts between \$ <u>50.00</u> and \$ <u>300.00</u>	<u>3</u> Months
For amounts between \$ <u>301.00</u> and \$ <u>750.00</u>	<u>6</u> Months
For amounts between \$ <u>751.00</u> and \$ <u>UP</u>	<u>18</u> Months

4. If an owner defaults on any payment plan, the payment plan is automatically terminated and the Association is not obligated to make another payment plan with the owner for the next two (2) years;
5. Alternative payment plan proposals must be submitted to and approved by the Association. The Association is not obligated to approve alternative payment plan proposals. No payment plan may be shorter than 3 months or longer than 18 months; and
6. The Association cannot charge late fees during the course of a payment plan, but can charge interest at the rate of ten percent which it is entitled to according to its Governing Documents and can charge reasonable costs of administering the payment plan which cost is a one-time charge of \$25.00; and
7. Any future assessment must be paid by the due date in a Payment Plan which spans additional assessment cycles.

RP 081-37-1002

CERTIFICATION

"I, the undersigned, being the President of Bellaire Gardens Home Owners Association hereby certify that the foregoing Resolution was adopted by at least a majority of the Bellaire Gardens Home Owners Association Board of Directors."

By: Pedro Munoz III
PEDRO MUNOZ III

President of the Board of Directors of
Bellaire Gardens Home Owners Association

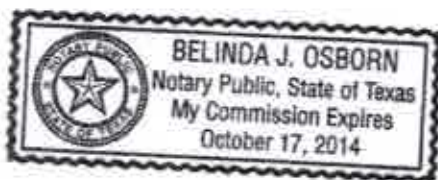
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Before me, the undersigned authority, on this day personally appeared Pedro Munoz III, President of Bellaire Gardens Home Owners Association, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that at least a majority of the Board of Directors approved the Payment Plan Policy and that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated as the act and deed of said Board of Directors for Bellaire Gardens Home Owners Association.

Given under my hand and seal of office, this the 3rd day of December, 2011.

Belinda J. Osborn
Notary Public, State of 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 herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.



MAR 14 2012



St. Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

~~KATHY ANN TERRY~~
~~ATTORNEY AT LAW~~
401 STUDEWOOD, SUITE 201
HOUSTON, TX 77007

kt: KATHY ANN TERRY
ATTORNEY AT LAW
401 STUDEWOOD, SUITE 201
HOUSTON, TX 77007

FILED
2012 MAR 14 AM 10:38
St. Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

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**EFFECTIVE JANUARY 1, 2012
RECORDS PRODUCTION POLICY**

**BELLAIRE GARDENS HOME OWNERS ASSOCIATION
RECORDS PRODUCTION POLICY**

This Records Production Policy was approved by the Board of Directors for Bellaire Gardens Home Owners Association on the 3rd day of December, 2011.

- I. **Copies of Association records will be available to all Owners upon proper request and at their own expense. A proper request:**
 - a. is sent certified mail to the Association's address as reflected in its most recent management certificate;
 - b. is from an Owner, or the Owner's agent, attorney or certified public accountant; and
 - c. contains sufficient detail to identify the records being requested.

- II. **Owners may request to inspect the books and records or may request copies of specific records.**
 - a. If the owner makes a request to inspect the books and records, then the Association will respond within **10 business days** of the request, providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.
 - b. If an owner makes a request for copies of specific records, and the Association can provide the records easily or with no cost, then the Association will provide the records to the owner within 10 business days of the owner's request.
 - c. If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available (within **15 business days**) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the owner.

RP 081-37-1006

**EFFECTIVE JANUARY 1, 2012
RECORDS PRODUCTION POLICY**

III. The Association hereby adopts the following schedule of costs:

<u>COPIES</u>	10 cents per page, for a regular 8.5" x 11" page
	50 cents per page, for pages 11" x 17" or greater
etc.)	Actual cost, for specialty paper (color, photograph, map,
	\$1.00 for each CD or audio cassette
	\$3.00 for each DVD
<u>LABOR</u>	\$15.00 per hour for actual time to locate, compile and reproduce the records (can only charge if request is greater than 50 pages in length)
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length)
<u>MATERIALS</u>	Actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records

IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association's Books and Records:

BELLAIRE GARDENS HOME OWNERS ASSOCIATION
RESPONSE TO REQUEST TO INSPECT ASSOCIATION RECORDS

_____ (date)

Dear Homeowner:

On _____, the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the ours of 9 a.m. and 5 p.m., at the office of _____ located at _____, Houston, Texas _____.

Please contact the Association's manager at _____ (phone number) to arrange for a mutually agreeable time for you to come and inspect the books and records.

RP 001-37-1007

**EFFECTIVE JANUARY 1, 2012
RECORDS PRODUCTION POLICY**

Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.

Very truly yours,

Bellaire Gardens Home Owners Association

- V. The Association hereby adopts the following form of response to Owners who request copies of specific records:**

**BELLAIRE GARDENS HOME OWNERS ASSOCIATION
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS**

_____ (date)

Dear Homeowner:

On _____, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records, you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$ _____. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of _____, located at _____, Houston, Texas _____.

Very truly yours,

Bellaire Gardens Home Owners Association

FILED

2012 MAR 14 AM 10:39

Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP 061-37-1008

EFFECTIVE JANUARY 1, 2012
RECORDS PRODUCTION POLICY

- VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.
- VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information and contact information (other than an owner's address); additionally, no privileged attorney-client communications or attorney work product documents will be provided; and no employee information (including personnel file) will be released.
- VIII. With regards to the inspection of ballots, only persons who tabulate ballots under 209.00594 (TPC) may be given access to the ballots cast in an election or vote.

CERTIFICATION

"I, the undersigned, being the President of Bellaire Gardens Home Owners Association hereby certify that the foregoing Resolution was adopted by at least a majority of the Bellaire Gardens Home Owners Association Board of Directors."

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

By:

Pedro Munoz III
Pedro Munoz III
President
Bellaire Gardens Home Owners Association

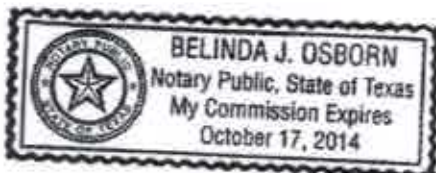
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MAR 14 2012



St. Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the above-mentioned Affiant on this the 3rd day of December, 2011, to certify which witness my hand and seal of office.



Belinda J. Osborn
NOTARY PUBLIC, State of Texas

Kathy Ann Terry
KATHY ANN TERRY
ATTORNEY AT LAW
401 STUDEWOOD, SUITE 201
HOUSTON, TX 77007

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Notice
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**EFFECTIVE JANUARY 1, 2012
RECORDS RETENTION POLICY**

**BELLAIRE GARDENS HOME OWNERS ASSOCIATION
RECORDS RETENTION POLICY**

This Records Retention Policy was approved by the Board of Directors for Bellaire Gardens Home Owners Association on the 3rd day of December, 2011.

The Association shall maintain its records as follows:

<u>Record</u>	<u>Retention Period</u>
Certificate of Formation/Articles of Incorporation, Bylaws, Declarations and all amendments to those documents	Permanent
Association tax returns and tax audits	Seven (7) years
Financial books and records	Seven (7) years
Account records of current owners	Five (5) years
Contracts with a term of more than one year	Four (4) years after contract expires
Minutes of member meetings and Board meetings	Seven (7) years

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable record will be considered not maintained as a part of the Association books and records.

RP 061-37-1004

FILED
2012 MAR 14 AM 10:38
Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

**EFFECTIVE JANUARY 1, 2012
RECORDS RETENTION POLICY**

CERTIFICATION

"I, the undersigned, being the President of Bellaire Gardens Home Owners Association hereby certify that the foregoing Resolution was adopted by at least a majority of the Bellaire Gardens Home Owners Association Board of Directors."

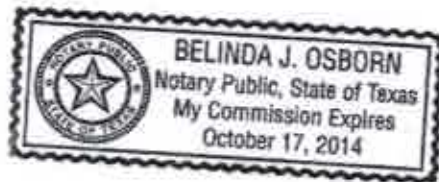
By: Pedro Munoz III
Pedro Munoz III
President
Bellaire Gardens Home Owners Association

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SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by the above-mentioned Affiant on this the 3rd day of December, 2011, to certify which witness my hand and seal of office.

Belinda J. Osborn
NOTARY PUBLIC, STATE OF 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 herein by me, and was duly RECORDED, in the Official Public Records of said Property of Harris County, Texas.



MAR 14 2012



Stan Stewart
COUNTY CLERK
HARRIS COUNTY, TEXAS

K KATHY ANN TERRY
ATTORNEY AT LAW
401 STUDEWOOD, SUITE 201
HOUSTON, TX 77007