

**Resolutions & Policies**  
**Mission Bend San Miguel HOA**



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07/01/2013 RPI \$20.00

**MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.'S  
PAYMENT PLAN POLICY**

This payment plan policy was approved by the Board of Directors for Mission Bend, San Miguel Homeowners Association, Inc. on the 4<sup>th</sup> day of June, 2013 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. *lee*

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 \$1.00 and \$150.00	3 Months
For amounts between \$151.00 and \$300.00	6 Months
For amounts between \$301.00 and \$600.00	9 Months
For amounts between \$601.00 and \$999.00	12 Months
For amounts \$1,000.00 and UP	18 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.
6. The Association cannot charge late fees during the course of a payment plan, but can charge interest at the rate of six 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.
7. Any future assessments which become due during a payment plan must be paid timely.

**CERTIFICATION**

Ruth Stadtfeld

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Name: Ruth Stadtfeld  
President of the Board of Directors of  
Mission Bend, San Miguel Homeowners Assoc., Inc.

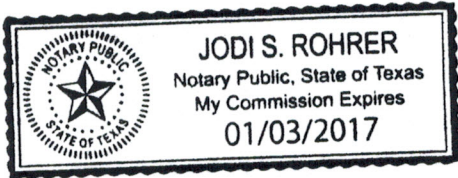
Dated this 4<sup>th</sup> day of June, 2013.

Before me, the undersigned authority, on this day personally appeared Ruth Stadtfeld, President of Mission Bend, San Miguel Homeowners Association, Inc., 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 this Payment Plan Policy and that he/she 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 Mission Bend, San Miguel Homeowners Association, Inc.

Given under my hand and seal of office, this the 4<sup>th</sup> day of June, 2013.

Jodi S. Rohrer

Notary Public, State of Texas



return to:

**Kathy Ann Terry**  
Attorney at Law  
PO Box 690141  
Houston, TX 77269

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk  
Fort Bend County, Texas

August 15, 2013 04:10:00 PM

FEE: \$15.00 RMM  
MISC

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MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.  
RECORDS PRODUCTION AND RECORDS RETENTION POLICY

This Records Production and Records Retention Policy was approved by the Board of Directors for Mission Bend, San Miguel Homeowners Assoc., Inc. on the 4<sup>th</sup> day of June, 2013.

**I. Copies of Association records will be available to all Owners upon proper request and at their own expense provided the 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 and state whether the Owner wishes to inspect the books and records prior to obtaining copies or have the Association forward copies of the requested books and records.

**II. Association response:**

- 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 after the Owner pays the Association the cost thereof. If the Association is unable to produce the information on or before the 10<sup>th</sup> business day, then they will send the Owner written notice that they are unable to comply within 10 business days and state a date by which the information will be made available for inspection that is not later than 15 business days after the request date.
- b. If the Owner makes a request for copies of specific records, to the extent those books and records are in the possession, custody and control of the Association, the Association will provide the records to the Owner within 10 business days of the Owner's request. If the Association is unable to produce the information on or before the 10<sup>th</sup> business day, then they will send the Owner written notice that they are unable to comply within 10 business days and state a

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date by which the information will be sent that is not later than 15 business days after the request date. Additionally, the Association will notify the Owner of the estimated cost the Owner must pay before the records will be sent. Upon paying the cost to provide the records, the Association shall send the records to the owner.

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

- COPIES 10 cents per page, for a regular 8.5" x 11" page  
50 cents per page, for pages 11" x 17" or greater  
Actual cost, for specialty paper (color, photograph, map, etc.)  
\$1.00 for each CD or audio cassette  
\$3.00 for each DVD
- LABOR \$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)
- OVERHEAD 20% of the total labor charge (can only charge if request is greater than 50 pages in length)
- MATERIALS 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:**

**MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.'S  
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 hours 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. 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,

Mission Bend, San Miguel Homeowners  
Assoc., Inc.

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

**MISSION BEND, SAN MIGUEL HOMEOWNERS ASSOCIATION, INC.'S  
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,

Mission Bend, San Miguel Homeowners  
Assoc., Inc.

- 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.

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.

CERTIFICATION

  
 Name: Ruth Stadtfeld  
 President of the Board of Directors of  
 Mission Bend, San Miguel Homeowners Assoc.,  
 Inc. 101

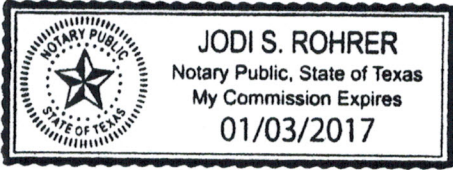
Dated this 4th day of June, 2013.

Ruth Stadtfeld Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_, President of Mission Bend, San Miguel Homeowners Association, Inc., 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 this Records Production and Records Retention Policy and that he/she 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 Mission Bend, San Miguel Homeowners Association, Inc.

2013-06-04 10:05:05

Given under my hand and seal of office, this the 4th day of June, 2013.

Jodi S. Rohrer  
Notary Public, State of Texas



HP 087-70-0506

return to:

**Kathy Ann Terry**  
Attorney at Law  
PO Box 690141  
Houston, TX 77269

**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk  
Fort Bend County, Texas

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