

BIRCH CREEK FOREST PROPERTIES, INC.

HOA RULES AND REGULATIONS POLICY

The Board of Directors for Birch Creek Forest Properties, Inc. (the 'Association'), hereby adopts the following Rules and Regulations to assist with the enforcement of situations not specifically or clearly addressed in the Deed Restrictions or which do not already have a policy in place and filed on behalf of the Association.

- 1. Dump Maintenance-** All property owners shall abide by the rules posted on the gate of the dump. The dump property is monitored by cameras at all times. If a property owner violates the rules of the dump, they will incur an immediate fine as indicated in the Enforcement Policy and Schedule of Fines. In addition to the immediate fine being assessed, the property owner must comply with the necessary corrective action required to remedy the violation within 10 days of the notice or a 60-day suspension of the owners' right to use the dump imposed by disabling their access card/key. The fine must be paid before the access card/key will be reactivated.

Dump Rules: Dumpsters are for household garbage only. Burn area is for small trees, limbs, brush, and no trees over 4" in diameter. Absolutely NO petroleum products, shingles, tires, sheetrock, batteries, metal, pallets, treated or regular lumber, furniture, appliances, mattresses, TV's, chemicals, paint, fuel, or cement boards allowed in the dumpsters or burn pile. Violators will be fined and required to come remove the items not allowed. Leaves must be emptied from any bags. No leaves allowed in dumpsters.
- 2. Violation Hearings-** All property owners are entitled by State Law the right to request a hearing before the Board of Directors within 30 days of the date of a violation notice. The Association will follow the procedures and guidelines for the hearing as set forth in the Texas Property Code (Section 209.007, Chapter 209).
- 3. Complaint/Grievances-** All complaints or grievances against another property owner or the Association must be in written form and signed by the property owner submitting the complaint or grievance along with their address. Any complaint or grievance missing the submitting property owner's name and address, will not be acted upon unless it involves a serious safety or health hazard. All names involved in any complaints or grievances will remain confidential. The Board will determine in executive session whether a complaint or grievance is enforceable and needs to be acted upon. All complaints or grievances will be briefly noted on the monthly agendas by indication of the specific category it's related to according to the Enforcement Policy and Schedule of Fines of the Association. The Board will follow up with a letter to the property owner who submitted the complaint or grievance, stating the action, if any, that was taken by the Board to resolve the complaint or grievance.

4. **Swimming Pool-** All property owners are required to follow the rules of the swimming pool as indicated by the sign on the swimming pool gate. The swimming pool is monitored by cameras at all time. In addition to the immediate fine being assessed, the property owner must comply with the necessary corrective action required to remedy the violation within 10 days of the notice or a 60-day suspension of the owner's right to use the swimming pool will be imposed by disabling their access card/key. The fine must be paid before the access card/key will be reactivated.
5. **Other Outdoor Common Areas-** All property owners are required to use proper and normal care when using the common areas of the subdivision, including but not limited to, the park area, the ponds, the helipad etc... Misuse of these areas may result in a fine if the action is of a non-curable nature or poses a threat to public health or safety as indicated in the Enforcement Policy and Schedule of Fines. Misuse of these areas may also involve criminal charges if the act is of a criminal nature.
6. **Community Building-** All property owners are required to use proper and normal care during any use of the community building. When renting the community building for a private event, all property owners are required to follow all rules indicated on the rental agreement required for all such rentals. Misuse of the community building will result in the loss of any deposits paid. Any damage to the community building in excess of any deposits received, will be the sole financial responsibility of the property owner to pay.
7. **Contractor Bids-** The Association will request three (3) bids for any miscellaneous work needed that is anticipated to cost more than \$2,000.00. Work anticipated to cost less than \$2,000.00 will require two (2) bids. The Association will request a minimum of three (3) bids for all Independent Contractor positions. These positions currently include the following: Maintenance Contractor, Swimming Pool Contractor, Mowing Contractor and Bookkeeping Contractor.

The Association reserves the right to amend, change or add to the above list of Rules and Regulations at any time as deemed necessary or to comply with changing State Laws.

This HOA Rules and Regulations Policy is hereby approved and adopted on this 2nd day of March 2024, by majority vote of the Board of Directors of the Association.










