

BIRCH CREEK FOREST PROPERTIES, INC.

PAYMENT PLAN POLICY

Purpose:

This Payment Plan Policy is adopted pursuant to **Texas Property Code Section 209.0062**, which requires property owners' associations to offer payment plans to owners who become delinquent on assessments.

Eligibility for a Payment Plan:

An owner is eligible for a payment plan if:

- The owner is delinquent on assessments or other amounts owed to the Association; and
- The owner has not defaulted on a payment plan with the Association within the previous two (2) years.

If an owner defaulted on a payment plan within the last two years, the Association is not required to offer another plan in accordance with **Texas Property Code Section 209.0062(c)**.

Required Minimum Terms:

The Association will offer a payment plan that:

- Has a minimum term of three (3) months; and
- May be extended at the discretion of the Board or its agent.

The Association may offer longer plans but may not offer a plan shorter than three months.

Requesting a Payment Plan:

An owner may request a payment plan by:

- Submitting a written request to the Association office; or
- Responding to a delinquency notice that includes the statutory payment plan offer.

The Association may require the owner to sign a written payment plan agreement.

Terms of the Payment Plan Agreement:

Each payment plan agreement will include:

- Total amount owed
- Monthly payment amount
- Due date for each installment
- Interest rate (if applicable)
- Administrative fee (if applicable)
- Consequences of default
- Statement of the owner's rights under **Texas Property Code Section 209.0062**

The Association may charge:

- Interest at the rate authorized by the governing documents.
- A reasonable administrative fee for setting up the plan.

These charges are expressly permitted under **Texas Property Code Section 209.0062(a)**.

Payments During the Plan:

While on a payment plan:

- The owner must pay each installment on or before the due date.
- The owner must also remain current on all new assessments.
- Late fees may not be charged on amounts included in the plan if payments are made as agreed.

Default of a Payment Plan:

An owner is in default if:

- Any installment is not paid within **30 days** of its due date; or
- The owner fails to remain current on new assessments.

Upon default:

- The Association may terminate the plan.
- The Association may resume collection action, including attorney referral.
- The owner becomes ineligible for another plan for two (2) years, per **Texas Property Code Section 209.0062(c)**

No Waiver of Other Rights:

Entering into a payment plan does not waive:

- The Association's right to collect the full amount owed
- The Association's right to charge interest or administrative fees
- The Association's right to pursue collection after default

Delegation of Authority:

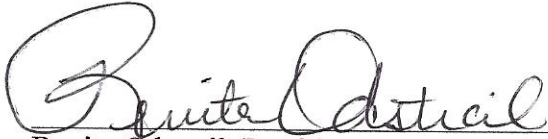
The Board may delegate administration of payment plans to:

- The Association's managing agent
- The Association's bookkeeper
- The Association's attorney

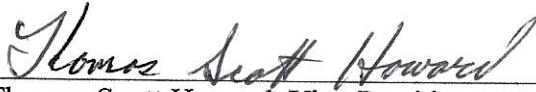
All plans must comply with this policy and **Texas Property Code Section 209.0062**.

CERTIFICATION

We, the undersigned officers of Birch Creek Forest Properties, Inc., hereby certify that this Payment Plan Policy was approved and adopted by the Board of Directors on June 06, 2026. It has been entered into the official books and records of the Association and shall be recorded in the Official Public Records of Real Property in Burleson County, Texas. This policy replaces and supersedes the prior version of this policy that was included within Document Number 2012-509, which the Board of Directors rescinded in its entirety.



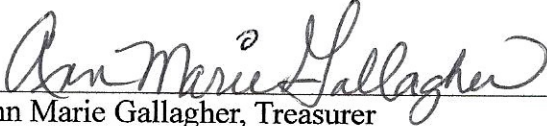
Renita Odstrcil, President



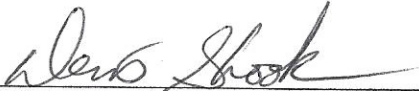
Thomas Scott Howard, Vice-President



John Dunkleman, Secretary



Ann Marie Gallagher, Treasurer



Dennis Shook, Assistant Secretary/Treasurer