

# FAIRMONT PARK HOMES ASSOCIATION, INC.

## POLICY REGARDING ALTERNATIVE PAYMENT SCHEDULES

THE STATE OF TEXAS                   §  
  §    KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS                   §

**WHEREAS**, FAIRMONT PARK HOMES ASSOCIATION, INC. (the “Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (collectively referred to as the “Declarations”);

**WHEREAS**, Section 209.0062(b) of the Texas Property Code requires property owners associations to adopt reasonable guidelines to establish an alternative payment schedule by which an owner can make partial payments to the association for delinquent, regular or special assessments or any other amount owed to the association without accruing additional penalties;

**WHEREAS**, Section 209.0062(a) requires property owners associations to file the association's guidelines in the real property records of the county where the subdivision is located; and

**WHEREAS**, the Board of Directors of the Association (“Board”) desires to establish a policy for Payment Plans consistent with Section 209.0062 and to provide clear and definitive guidance to owners.

### **NOW THEREFORE, BE IT RESOLVED THAT:**

The following **POLICY REGARDING ALTERNATIVE PAYMENT SCHEDULES** is hereby adopted:

1. Owners may enter into a payment plan or alternative payment schedule, provided they have not defaulted on a previous payment plan in the preceding 24 month period. If a default has occurred in the previous 24-month period, then the Board of Directors shall use its discretion as whether to allow any additional payment plans.
2. All payment plans must be in writing using a form promulgated by the Association or its agent or attorney, and signed by the Owner. No partial payments will be accepted without an approved written payment plan agreement. Notwithstanding, any acceptance by the Association of a partial payment from an Owner without a signed payment plan agreement does not in any way indicate acceptance or approval of a payment plan or alternative payment schedule.
3. Payment plans shall be no shorter than three (3) months, nor longer than eighteen (18) months. Payment plans will require either a down payment and monthly installments, or equal monthly installments.
4. For the duration of a payment plan or alternative payment schedule, and so long as payments are made timely, the Association shall refrain from charging

additional late fees or other monetary penalties. However, the Association may charge interest at the rate contained in its governing documents, in addition to costs or fees associated with administration of the payment plan.

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the Board of Directors of FAIRMONT PARK HOMES ASSOCIATION, INC.

FAIRMONT PARK HOMES  
ASSOCIATION, INC.

\_\_\_\_\_  
Signature of Secretary

Print Name: \_\_\_\_\_

THE STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS           §

THIS INSTRUMENT was **acknowledged** before me on this the \_\_\_\_ day of \_\_\_\_\_, 2011, by \_\_\_\_\_, Secretary of FAIRMONT PARK HOMES ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said corporation.

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NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS