

INFORMATION REGARDING ACC AND DEED RESTRICTION PROCEDURES:

ACC: (Architectural Control Committee)

Remember that Candlelight Forest West is a deed restricted community. In order to protect each homeowner's property values, it is required for any homeowner planning improvements or ANY change to their deeded property to submit an ACC form. The more details you provide about your improvements, the easier it will be to understand what you plan to do and for the Board to make a decision. The Board reviews all requests to ensure they are in compliance with our deed restrictions, bylaws, and local statute which help protect the value of the community. If any changes are made prior to approval, the Board has the right to request the homeowner to remove them. For your own protection, make sure that you do not start your improvements until you have received the proper approval.

If you do not have a copy of the Deed Restrictions, you may request the Board to furnish you a copy or you can obtain a copy from the CFWEST's website at "www.cfwest.org".

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DEED RESTRICTION ENFORCEMENT PROCEDURES:

Inspections of the community are done once a month to note any new violations, to check the status of existing violations and to verify complaints that have been called in to us.

All deed restriction letters are mailed to homeowners and/or tenants by the end of the week of the audit. Listed below is the schedule of when letters are sent. Please see the list of fines and fees that are levied when it is necessary to send deed restriction letters.

- **First Letter** – A first "courtesy letter" is sent. Deed Restriction violations receive notice on the first observation, such as lawn care, ACC violations, etc.
- **Second Letter** – A second "courtesy letter" is sent after the first letter expires without compliance. This letter usually gives the homeowner two weeks to comply.

- **Third Letter** - The third notice letter carries a fine of **\$25.00 per violation** which is added to the homeowner's account and is collectible under the Texas Property Code. Compliance is required and if the violation is not cleared and no Statutory Hearing attendance was completed, a fourth and final letter from the Association will be sent if there is no response to the Statutory Hearing request.
- **Statutory Hearing Letter** - This letter request a homeowner who has deed restriction violations that have not been cured after receiving the Third Letter, to appear before the Board of Directors to discuss reasons why compliance has not occurred. **The fee for sending the Statutory Hearing Letter is \$35.00 as per the fines and fee schedule.** This hearing requires the mandatory appearance of the homeowner. The homeowner is given the opportunity to request a certain date and time that best suits the homeowner. Homeowners will receive, in writing, the date, time, and place agreed to by the Board of Directors for the meeting. At this hearing, a solution to the existing problem may be obtained to the benefit of the homeowner and the Association.
- **Fourth Letter** - This "last chance letter" give the homeowner one last opportunity to correct the violation before it is turned over to the association attorney. This letter is levied a fine in the amount of **\$50.00 per violation** which is added to the homeowner's account and is collectible under the Texas Property Code. If the violation is not cleared **IMMEDIATELY UPON RECEIPT OF THE LETTER**, the issue will be turned over to the attorney for collection or lawsuit to collect.
- **Attorney Demand Letter** - The attorney gives legal notice of the Association's intent to file a lawsuit. If a lawsuit becomes necessary, all costs for legal fees, court costs, etc., are billed back to the homeowner's account.

There are those few owners who neglect their responsibility for reasons unknown. Their violations continue without regard for the overall welfare of their neighbors. At the point where an Attorney Demand Letter becomes necessary, the Association is obligated under the Bylaws, Architectural Control Committee Guidelines, and Deed Restrictions (Governing Documents), to seek a legal resolution. This action is very costly and affects every homeowner by depleting the assets derived from the annual assessments.

However, when residents do not adhere to the regulations set forth in Deed Restrictions and their accepted acknowledgement that they have purchased property in a Deed Restricted community when properties are purchased, the Association is left with no choice but to proceed to seek compliance. **Deed Restrictions must and will be enforced.**

Deed Restrictions are designed to assure a wholesome and attractive community in which to live, enjoy, and protect our investments.

If you see deed restriction violations, please report them to our Board at 713-849-2389.