

WSMA Board of Directors
Duties, Responsibilities and Procedures

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WSMA Board of Directors Duties, Responsibilities and Procedures

1.0 Duties of the Board of Directors

(Taken from Bylaws)

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members, or at any special meeting (when such statement is requested in writing by at least one-fourth (1/4) of the members who are entitled to vote);

(b) supervise all officers, agents and employees of this Corporation, and to see that their duties are properly performed;

(c) enforce the annual maintenance charge on all Lots, as more fully provided in the Restrictions, and in connection therewith to:

(1) fix the amount of the annual assessment against each Lot as provided in the Restrictions;

(2) send written notice of the annual assessment on each Lot to the Owner thereof, or to the lending institution holding a mortgage on such Lot, as soon as practicable after fixing the amount of such assessment; and

(3) foreclose the lien against any property for which assessments are not paid within sixty (60) days after due date, or to bring an action at law or take any other appropriate action against the Owner personally obligated to pay the same;

(d) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid;

(e) procure and maintain adequate liability and hazard insurance on property owned by or under the jurisdiction of the Corporation;

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate; and

(g) cause any area or facility under the jurisdiction of the Corporation to be adequately maintained.

1.1 Terms

Board of Directors shall serve for three (3) year terms. These three-year terms shall be effective upon expiration of the terms of currently serving directors. Officers shall serve for one (1) year terms.

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There is no statute of limitations on either directors or officers.

1.2 Exclusions

The same person MAY hold the offices of secretary and treasurer. No person shall simultaneously hold more than one of any of the other offices except in the case of offices created to handle specific non-executive Board functions as are included below.

1.3 Management Company

The Board of Directors has contracted with Crest Management Company (Crest) to provide certain administrative services to assist the Board in the performance of its duties as defined above. The services provided are as defined in the Crest contract published on the Board Documentation Repository page of the Association website.

2.0 Officers

2.1 President

2.1.1. Responsibility

The president shall preside at all meetings of the Board of Directors at which he or she is present; shall see that orders and resolutions of the Board are carried out; shall sign all contracts, leases, mortgages, promissory notes, deeds and other written instruments.

2.1.2 Meeting Management

2.1.2.1 Setting Agendas

Board meeting agendas are prepared by the secretary, approved by the president and emailed to Crest for inclusion in the monthly package for the Board meeting. The agenda is also posted on the Association website at least 144 hours prior to the Tuesday Board meeting.

2.1.2.2 Handling of Resident Presentations

Whenever a resident has requested a hearing by the Board of Directors, a time for such hearing will be placed on the agenda and will be communicated to that resident. The president will welcome the resident and is responsible for ensuring that he or she is given a fair hearing. Board discussion and resulting decisions on the subject raised are deferred to the executive session.

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2.1.2.3 Conducting of Executive Sessions

In the interests of protecting residents' rights and privacy, at an appropriate time during its regular meetings the Board will hold an executive session. The principal issues discussed at these sessions will be deed restriction violations and residents' financial delinquencies.

2.2 Vice President

2.2.1 Responsibility

The vice-president shall act in the place and stead of the president in the event of his or her absence, inability or refusal to act and shall exercise and discharge such other duties as may be required by the Board.

2.3. Secretary

2.3.1 Responsibility

The secretary shall be responsible for recording the votes and keep minutes and proceedings of the Board and of the Members; serving notice of meetings of the Board and of the Members; keeping appropriate current records showing the Members of the Corporation together with their addresses, and shall perform other duties as required by the Board.

2.3.2 Record Keeping

Although record keeping falls under the responsibility of the secretary, in order to assure a professional and consistent record keeping function over an extended period this activity is performed under contract by Crest. The secretary is charged with ensuring that meeting minutes and other significant documentation is maintained in accordance with the WSMA Record Retention Schedule defined in section 5.4. Some backup of meeting minutes is also inherent in the Association website on which the minutes for the current and previous year are maintained as well as archived minutes since 2004.

2.3.3 Meeting Minutes

As for record keeping, the prime role in the documenting of meeting minutes is performed by Crest. The draft of the minutes is reviewed and edited by the secretary and the president and, clearly annotated as DRAFT, is posted on the website and published in the next update of the My Neighborhood News website maintained by the Krenek Printing Company. Following approval at the next meeting the approved minutes replaces the draft on the Association website.

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2.4 Treasurer

2.4.1. Responsibility

The treasurer shall be responsible for the receipt and deposit in appropriate bank accounts of all monies of the Corporation and shall approve the disbursement of such funds as directed by resolution of the Board; supervise the keeping of proper books of account; cause an annual audit of the Corporation books and records to be made by an independent certified public accountant at the end of each fiscal year and shall prepare an annual budget and a statement of income and expenditures to be presented to the Members at the regular annual meeting or at a special meeting.

All checks shall be signed by two of the officers of the Corporation, one of whom must be the president or vice president.

2.4.2 Budgets

The September Board meeting each year is used for establishing the Association budget for the following year. This is an open meeting of the full Board under the direction of the treasurer and is usually conducted at the Crest offices at which the relevant records are located. This venue provides Crest with the capability of displaying the actual expenditures for the previous and earlier years via computer display. The projected expenditures in each expense category can then be made, entered and their effect on the total budget evaluated in real-time.

The principal output of the budget process is the establishing of the level of maintenance assessment to take effect as of January 1 of the coming year. This budget must take into account both operational expenditures for the year, and the requirement to maintain an adequate reserve to cover capital expenditures required for the major repair and/or replacement of Association assets.

2.4.3 Maintenance Fee Collection

The procedure for collecting the annual maintenance assessment fees shall be as documented in the WSMA Collection Policy, a summary of which is given below:

Statements are sent out in November with payment due date of January 1. A sample statement is given in Section 5.1. Residents unable to pay the fee in full by the required date can either charge it to a credit card via the Crest website (www.crest-management.com) or request a payment plan.

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If payment still has not been received by January 31, Crest will provide a listing of the delinquent residents to the treasurer who will provide authorization to Crest to send out the final demand letters the fees for which will be charged to the residents' accounts. These letters are typically mailed after February 10, the date being subject to the approval of the Board. If no response has been received within 30 days of the demand letter, the resident's trash service will be suspended.

If no response has been received by May 1, the matter is turned over to the attorney.

If there is still no response within a reasonable period, the Board has the option of instructing the attorney to file a lien and ultimately to take the necessary steps to initiate foreclosure on that property.

In addition to the above process there is a requirement to continually monitor the collection of maintenance fees. This task is performed weekly by the treasurer based on the accounts receivable file provided each Friday by Crest's accountant who services the Settlement accounts. This file is analyzed by the treasurer using a series of Excel macros to identify various collection issues.

One of the recurring issues is that not all homeowners who are provided the opportunity to pay their fees via payment plans continue to make their monthly payments on time. When such a situation arises the treasurer requests the Crest accountant to communicate with the resident to address the issue. Failure to correct the problem will result in the suspension of the delinquent homeowner's trash collection service and if still not corrected the treasurer presents the issue to the Board in an executive session of a monthly meeting with a recommendation that the account be referred to the attorney for legal action.

2.4.4 Book Keeping

In conducting the bookkeeping task throughout the year the treasurer shall conduct audits to verify that expenses being paid are both appropriate and properly classified against the set of account codes that have been established for the collection and budgeting of Association expenses. Such auditing generally takes place at the opportunities defined below.

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2.4.4.1 On Payment of Invoices

Whenever Crest presents the treasurer with checks for approval via the electronic payables lockbox system, the treasurer, before approving, shall:

- reconcile the amount on the check with the attached invoice,
- confirm that the product or service has been satisfactorily delivered, and
- confirm that the expense has been assigned to the appropriate account code.

2.4.4.2 On Receipt of the Monthly Financial Statements

Each month Crest prepares for all Board members a financial statement showing the income and expenses for the month and year-to-date. On receipt of this statement the treasurer shall review it looking for any anomalies or inconsistencies. Any such findings shall be brought to the attention of Crest for investigation and resolution.

2.4.4.3 At Year-End Closing

Prior to closing the books for the year, Crest prepares a final financial statement providing the treasurer with a last opportunity for any changes in expense classification. This audit shall also specifically review the assignment of expenses between the Operating and Replacement accounts for consistency with the expense classifications defined in the latest version of the Reserve Study.

2.4.5 Cash Management

The Association's assets are maintained in two accounts, the Operating account and the Replacement account. The Operating account is interest bearing with checking privileges. This account is the repository of the Association's operating funds which are used to meet its day-to-day cash flow requirements. Sufficient liquid funds are maintained in this account to cover one to two months of operation the balance being invested in Account Registry Certificates of Deposit (CDAR)s or an interest bearing savings account to maximize the interest earned until the funds are needed to meet operating expenses. The Replacement account is used to hold the funds that are earmarked for the replacement of the Association's capital assets as defined in the annual Reserve Study. As the use of these funds is subject to longer approval cycles, a large portion will typically be invested in longer-term CDARs or an interest bearing savings account when that will provide better returns. In all cases, the treasurer shall ensure that all

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Association funds are adequately insured to provide protection in the event of insolvency of the financial institution.

The investment of funds into CDARs is implemented by Crest in accordance with the treasurer's instructions.

2.4.6. Reserve Study

Each year prior to the September budget meeting, the Board of Directors will either conduct or contract for the conduct of, a reserve study.

The purpose of the study is to review the Association's capital assets, their expected remaining life and their replacement value at current prices. From this data the amount of money that should be available to cover their eventual replacement is computed. This shall be taken into consideration when deciding on the maintenance assessment fee for the following year.

The most recent study is published on the Board Documentation Repository page of the Association website.

2.4.7 Financial Audit

Each year, the Board shall contract for a financial audit by a qualified CPA. The purpose of the audit is to provide assurance of the integrity of the Associations bookkeeping and finances, and to meet the tax reporting requirements of the Internal Revenue Service.

3.0 Committee Chairpersons

3.1 Deed Restriction Committee

To fulfill its obligations to the residents in maintaining standards on the subdivision, and hence protect their property values, a Deed Restrictions committee has been established. This committee is responsible for monitoring compliance with the Association deed restrictions and community standards. A designated Board member chairs this committee.

3.1.1 Monthly Inspections

Each month the Crest representative drives around the subdivision to inspect all properties. The purpose of this drive through is to observe progress on the rectification of any previously reported deed restriction violations, as well as to notice if any new violations have occurred since the last inspection.

3.1.2 Deed Restrictions Violation Processing

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Whenever a property condition is observed that is in violation of the deed restrictions, a copy of which is posted on the Association website, the condition is noted. As violation of the deed restrictions is such an important issue that carries serious legal and financial consequences every effort is made to encourage a homeowner's compliance through voluntary means.

The process used is as follows:

On first observing the violation, Crest is instructed to send out the first notification letter a sample of which is shown in section 5.2.1. When the owner of the property is not the resident the computer program that processes these letters will automatically generate one to the current resident and one to the owner. In most cases the resident will respond and correct the problem and this response will be noted during the subsequent drive through and the violation removed at the next Board meeting.

If the problem is not addressed within 30 days, Crest is instructed to send out the second letter the general format of which is given in section 5.2.2.

If there is still no action by the homeowner within a reasonable time, Crest is instructed to dispatch a third and final (Demand) letter, an example of which is given in section 5.2.3. If this does not produce results, then the matter is forwarded to the Association attorney to pursue the legal remedies.

3.2 Architectural Review Committee (ARC)

One very important aspect of deed restriction enforcement is the monitoring of all changes made to the external appearance of subdivision residences. The 87th session of the Texas Legislature passed a law which as of September 1, 2021 prohibits Home Owner Association (HOA) board members from serving on an Architectural Control/Review Committee (ACC/ARC). To be in compliance with this law the Board has appointed a committee, nominally of 5 (five) members, to perform the processing of External Modification Requests (EMR)s which are submitted by residents using the on-line form on the Crest website. The ARC member appointed as the liaison will convey to Crest the acceptance or rejection decisions based on conformance with. Crest will then issue the letters to the residents and monitor the resident's compliance with the decision. If the resident wishes to appeal a denial it may do so by requesting a hearing by the Board.

The Board has the responsibility of monitoring that the decisions made by the ARC are consistent with the Association's Governing Documents.

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3.2.1 ARC Guidelines

One of the principal governing documents against which EMRs shall be evaluated is titled ARC Guidelines. These guidelines are maintained by the Board and published on the Governing Documents page of the Association website.

3.2.2 ARC Violations Processing

In the event that an improvement activity that has not been submitted for review is observed at a home, the following process is invoked:

- Crest shall send a letter to the homeowner requesting that an EMR for such work be submitted. The form of this letter is similar to that given in section 5.2.1 for a deed restriction violation.
- If no response to this letter is received within 30 days then a second letter similar to that given in section 5.2.2 is sent.
- If there is still no response, a third and final (20903) letter containing the 209.007 language is sent and the violation is forwarded to the attorney. A sample of such a letter is given in section 5.2.3.

3.3 Clubhouse and Pool Management

3.3.1 Clubhouse and Pool Management Committee

Another important function of the Board of Directors is the management of the clubhouse, pool and associated recreational facilities. This activity is handled by the Clubhouse and Pool Management Committee lead by the Board member who is designated to act as its chairperson.

3.3.2 Pool Operation Contract

The day-to-day operation of the swimming pool is contracted out to a pool management company. This company manages the upkeep, staffing of lifeguards and operation of the pool and reports to the Board via the Clubhouse and Pool Committee chairperson.

The current pool management contract defining the respective responsibilities of the pool management company and the Association is published on the Board Documentation Repository page of the Association website.

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3.3.3 Overseeing of Maintenance and Facility Improvements

The upkeep of the clubhouse and associated recreational facilities consists of both preventative and emergency maintenance procedures. These are handled in the following manner:

3.3.3.1 Preventative Maintenance (PM)

PM on both the swimming and baby pools is covered under the pool management contract. PM on the clubhouse and associated recreational facilities is conducted by routine inspection where items requiring attention are identified, cleaned and/or replaced as necessary.

3.3.3.2 Emergency Maintenance (EM)

Whenever emergencies occur, any member of the Board is authorized to act to correct the problem and minimize any damage that might otherwise occur. Any Board member acting in this capacity can authorize the expenditure of up to \$500. If a greater expenditure is required, approval shall be obtained from at least two officers of the Association and the incident and associated costs presented at the next Board meeting for formal review and documentation.

3.3.3.3 Improvements

Recommendations for improvements to the Association facilities are made via the Clubhouse and Pool Management committee to the full Board for review. Although recommendations can occur at any time, the optimum timing for such discussions is that they should occur in sufficient time for cost data to have been collected and hence available during the annual reserve study and subsequent budget meeting. This enables the funding for such considerations to be included in the budget deliberations.

3.3.4 Rental of Clubhouse and Pool

The rules, fees and procedures to be used in the renting of either of the rooms in the clubhouse or the pool shall be as defined in the Clubhouse and Pool Renting Documentation which is published on the Association website.

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3.4 Landscaping

3.4.1 Landscape Contract Management

The principal function of the Landscaping Committee chairperson is to oversee the landscape management contract which defines the tasks to be performed and is published on the Board Documentation Repository page of the Association website. In addition to interfacing with the contractor and presenting to the Board any reports on landscape conditions requiring additional expenditures, this Board member may also oversee the additional activities addressed in the following subsections.

3.4.2 Mosquito Fogging

An annual contract is let for spraying the subdivision to minimize the breeding of mosquitoes during the summer months.

3.4.3 Subdivision Entrance Flags

The care, maintenance and proper protocol for the flying of the flags at the entrances to our subdivision from Colonial parkway and Franz road are handled by a resident volunteer. Of special concern is that the flags be lowered whenever there is a problem with the lighting which prevents them from being properly illuminated at night, and that they be placed at half-staff whenever there is a State or Federal mandate to mark the passing of an important figure or a similar solemn occasion.

3.4.4 December Holiday Decorations

Each year the subdivision marks the December holiday season by placing decorations on the clubhouse and monuments at the subdivision entrances. This task is currently outsourced to a private company.

3.4.5 Yard-of-the-Month

From January through November of each year the yards in the subdivision are judged and if the resident of the one that is considered to have the best display is in good standing with the Association and agrees to accept the accolade, it is designated as the Yard-of-the-Month (YOM). A sign is placed in that yard throughout the month, and a photograph and write-up are posted on the website and included in the next update of the My Neighborhood News website. The selection of the home to receive the award each month is delegated to a YOM committee of volunteers. The detailed YOM step-by-step procedure is included in section 5.3.

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3.4.6 Christmas Holiday Yard Contest

Around the 15th of December each year, judging takes place for the Christmas Holiday Yard Contest. The awards are made to homeowners in good standing who have outstanding decorations and lights for the holiday season. The judging results in the selection of a first, second and third place prize winner. If the selected homeowners agree to accept the accolade the award recipients have the appropriate award signs placed in their lawns. Photos of these yards are posted on the website and published on the next update of the My Neighborhood News website.

The Christmas Holiday Yard Contest program shall be judged by the Yard-of-the-Month committee.

3.5 Security

Security patrols are provided by the Harris County Sheriff's Office (HCSO) under contract to MUD 61 and 62. The program is monitored by a member of MUD 61 acting in the role of security liaison between the subdivision and the HCSO.

3.6 Trash Collection Service

A major responsibility of the Board of Directors is to handle the collection of trash and recycling. This activity is performed under contract with a trash collection contractor. The provisions of this program are detailed on the Trash and Recycling page of the Association website.

3.7 Communications

3.7.1 Website

The principal tool available to the Board for timely communication with residents is the Association's website – www.WSMAonline.org. This site has pages dealing with all items of importance to the membership and to provide feedback and comments to the webmaster on site content and construction and to submit questions to the Board. The site encourages all residents to register their email addresses with the Association. This provides an emailing list that the webmaster uses to send out notices to alert residents whenever new material which may be of interest to them has been added to the site and to give them immediate notification whenever significant events occur in the subdivision.

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3.7.2 My Neighborhood News Website

The Krenek Printing Company maintains portals on its My Neighborhood News (MNN) website for most of the subdivisions in the area. These portals are customized for each subdivision to provide a platform via which, as well as containing local items of interest to all subdivisions in the area, the Board can communicate items of specific interest to Settlement residents. This website is funded by advertising revenue and is thus provided at no cost to the Association. The Communications Chairperson provides monthly updates to the Association's portal on this site and once posted sends an email containing the link to all residents who have registered their email addresses on the Association's (WSMAonline) site. Residents are also encouraged to separately subscribe to the My Neighborhood News website and those that do so will receive from that site a weekly digest with the latest updates.

The Communications Chairperson is responsible for preparing and or collating each month's customized material for the My Neighborhood News website and emailing it to the Krenek Printing Company.

3.8 Community Events

In order to promote good community relations within the subdivision the Association holds events during the year that are designed to bring residents together to meet with their neighbors and others who have a role in the security and well-being of the neighborhood. Typical events include a Memorial Day parade, the annual National Night Out which is held in October of each year and a Christmas celebration. Responsibility for the management of these events is either assigned to one or more of the Board members or to a volunteer committee.

4.0 Other Responsibilities

4.1 Welcoming of New Residents

To welcome new residents to our subdivision they will be visited by a member of a Welcoming Committee. Committee members performing this role do not necessarily need to be Board members. When Crest receives notification of a change in ownership it updates its ownership records which are reflected in the weekly accounts receivable file that is sent to the treasurer. The treasurer then conveys the ownership change to those responsible for the welcoming function.

During the welcoming visit the new residents will be given information about the subdivision and references to the New Resident Information page of the

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website, and encouraged to submit their family information and interests on a Google form for use by the Community Events committee. New residents will also be encouraged to subscribe to the Association and My Neighborhood News websites.

4.2 Common Area Electrical Repairs

To provide a consistent interface with the electrical contractors on repairs and improvements to common area electrical equipment, this responsibility has been assigned to one designated Board member. All requests for such electrical work are channeled via this person, who is responsible for obtaining quotations, presenting them for Board approval, overseeing and signing off on the work performed, and approving the submitted invoices.

An additional responsibility assigned to this person is the re-setting of the lighting timers each month in accordance with the chart in the “Clubhouse and Recreational Area Electrical Area Layout” report published on the Board Documentation Repository page of the Association website.

4.3 Management of Facility Keys

4.3.1 Overview of Key Management System

To protect the integrity of the Association facilities and equipment, a system has been developed for managing and keeping track of all locks and keys, and one Board member has been assigned the responsibility for maintaining this system.

There are two categories of locks protecting Association property. These are the Clubhouse itself, including the tennis courts and the gates in the fence segregating the pool from the surrounding area, and the various other locks on the property.

The key types and the number and location of each are defined on the “WSMA Key Inventory” document posted on the Board Documentation Repository page of the Association website. Responsibility for maintaining the integrity of this document and the location of all keys rests with the designated Board member, thus this person must also have the responsibility for interfacing with the locksmith who provides most of the services involved.

The two categories of locks are discussed further below.

4.3.2 Clubhouse Locks

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The locks on the doors and gates in this category are part of a unified set provided by the Association Locksmith. There are 9 different key types K1 through K9, of which the K1 is the master. The key types and the locks they open are also documented in the “Clubhouse Keys Directory” published on the Board Documentation Repository page of the Association website.

4.3.3 Other Locks

The remaining locks, including the padlock securing a chain on the front gate to the clubhouse, are the miscellaneous set documented on the right hand side of the “WSMA Key Inventory” sheet. This sheet defines which people or organizations have personal copies of each key. This is based on their need arising from their assigned responsibilities. In addition to these a key box is located in the Clubhouse hall storage closet closest to the restrooms. This box contains one clearly labeled copy of each key type. The designated Board member with responsibility for the key system holds a complete backup set for security purposes. This person is also the temporary custodian of any spares.

4.3.4 Key Audit

To verify the ongoing integrity of the key management system to prevent any degradation as the composition of the Board changes, an audit of the keys may be conducted periodically and the documentation updated as necessary.

4.4 Playground Safety Inspections

To monitor the condition of the playground equipment a safety inspection is performed by a designated Board member every three months. These inspections are conducted using the Playground Safety Self-Inspection Checklist given in section 5.5. Any issues requiring attention and the corrective action taken are documented.


A completed checklist documenting each inspection is retained on file by the designated Board member, posted on the Crest website and is available for audit as required.

5.0 Attachments

The following attachments are sample statements and letters that will be sent out in accordance with the circumstances defined in the foregoing procedures.

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5.1 Annual Statement



STATEMENT

WILLIAMSBURG SETTLEMENT
MAINTENANCE ASSOCIATION

BILLING INQUIRIES:

EMAIL: joanne.mcintyre@crest-management.com
CALL: (281) 945-4622

PROPERTY ADDRESS	
OWNER	
STATEMENT DATE	1/01/16
PAST DUE IF NOT PAID BY	1/31/16
REMITTANCE ADDRESS	PO BOX 52313, PHOENIX, AZ 85072-2313
PAY ONLINE/MANAGE YOUR ACCOUNT AT WWW.CREST-MANAGEMENT.COM	

MANAGEMENT ID	ASSOCIATION ID	ACCOUNT NO
3130		129E1801046

REFERENCE	DATE	CODE	DESCRIPTION	AMOUNT	BALANCE
	1/01/16	I	2016 Maint Fees		
CODES C - CR MEMO P - PAYMENT A - DISCOUNT ALLOWED D - DB MEMO I - INVOICE F - FINANCE CHARGE				AMOUNT DUE ▶	

Please remit this coupon with your payment and mail in the envelope provided.

WILLIAMSBURG SETTLEMENT
MAINTENANCE ASSOCIATION

PO BOX 219320
HOUSTON, TX 77218-9320

TOTAL AMOUNT DUE BY 1/31/16:		
MANAGEMENT ID	ASSOCIATION ID	ACCOUNT NO
3130		129E1801046
PAY ONLINE/MANAGE YOUR ACCOUNT AT WWW.CREST-MANAGEMENT.COM		
MAKE CHECK PAYABLE TO		

WILLIAMSBURG SETTLEMENT
MAINTENANCE ASSOCIATION

Remittance Address:

WILLIAMSBURG SETTLEMENT
MAINTENANCE ASSOCIATION
C/O CREST MANAGEMENT CO
PO BOX 52313
PHOENIX, AZ 85072-2313

3130 000ESP 00000129E1801046 0000000 062500 9

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5.2 Violation Letters

5.2.1 First Notification Letter (Courtesy)

Williamsburg Settlement Maintenance Association
P.O. Box 219320
Houston, Texas 77218-9320



Letter Date – **Courtesy Notice**

First Name
Second Name
Street Address
City, ST ZIP

RE: Inspection Date: MM/DD/YYYY

Dear Member:

In an effort to maintain the aesthetics and value of the community, Crest Management Company, as agent for your Homeowners Association, performs regular inspections of your community. Their intent is to assist residents with the standards set by your Association's Covenants, Conditions and Restrictions (CCRs) in a uniform approach. On behalf of your Association, we would like to make you aware of the following referenced condition(s) noted on our last inspection:

1) Violation verbiage.

While it is neither the intention nor the desire of the Association to cause property owners expense or inconvenience, it is the responsibility of the Association to enforce the Covenants, Conditions and Restrictions (CCRs) for the benefit of all property owners. Therefore, we are asking for your cooperation in resolving the above condition(s) in a timely manner.

If you are unable to correct the condition(s) by MM/DD/YYYY, please contact Crest Management at [Assistant Manager Email] or [Assistant Manager Phone]. Should you require a copy of the Covenants, Conditions and Restrictions (CCRs) governing your community, please visit www.crest-management.com.

If the above has already been corrected, please accept our appreciation and disregard this notice.

Respectfully,

Board of Directors
Williamsburg Settlement Maintenance Association

November 4, 2024

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2.2 Second Notification Letter (Reminder)

Williamsburg Settlement Maintenance Association
P.O. Box 219320
Houston, Texas 77218-9320

Letter Date – **Reminder Notice**

First Name
Second Name
Street Address
City, TX ZIP
RE: Inspection Date: MM/DD/YYYY

Dear Member:

On Crest Management's most recent inspection, it was noted that the following referenced condition(s) exists. In order to help maintain property values for your community, strict enforcement of the Covenants, Conditions and Restrictions (CCRs) is necessary. Thus, we once again ask for your cooperation in correcting the condition(s).

1) Violation verbiage.

If you are unable to correct the condition by MM/DD/YYYY, please contact Crest Management at [Assistant Manager Email] or [Assistant Manager Phone]. Should you require a copy of the Covenants, Conditions and Restrictions (CCRs) governing your community please visit www.crest-management.com.

Respectfully,

Board of Directors
Williamsburg Settlement Maintenance Association

November 4, 2024

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2.3 Certified Demand Letter

Williamsburg Settlement Maintenance Association



P.O. Box 219320
Houston, Texas 77218-9320
Phone: (281) 579-0761 Fax: (281) 579-7062
www.Crest-Management.com

First Name
Second Name
Street Address
City, ST ZIP

Letter Date

Account No.

CERTIFIED DEMAND LETTER
Sent Certified and First Class Regular Mail

Dear Member:

This letter is to request that you resolve the below-referenced violation(s) of the Covenants, Conditions and Restrictions (CCRs) by MM/DD/YYYY.

1) Violation verbiage.

Please be further advised if you do not resolve the violation(s) referenced in this letter by MM/DD/YYYY, this matter may be turned over to the Association’s attorney and you will be charged all reasonable attorney’s fees with other reasonable costs incurred by the Association related to enforcing the Covenants, Conditions and Restrictions (CCRs). These fees and costs can be a substantial amount.

Please be advised you may also request a hearing before the Association’s Board to discuss and verify facts, and hopefully, resolve this matter. Your request must be in writing. In addition, you must request the hearing before the Board on or before the 30th day after you receive this letter. If you request a hearing before the Board you will be notified in writing of the date, time and place of the hearing not later than ten (10) days before the date of the hearing.

Please be advised that, as of the date of this letter, the balance due and owed to the Association on the account of your property is \$Balance. This letter is not a demand for payment of this amount at this time. The amount due is included in this letter to comply with Texas Property Code Section 209.006(b)(1).

If you are serving on active military duty, you may have special rights or relief related to this enforcement action under federal law, including the Service Members Civil Relief Act (50 U.S.C. app. Section 501 et seq.).

We trust that your interest in your community will prompt you to comply with the Covenants, Conditions and Restrictions (CCRs). Please contact Crest Management at [Assistant Manager Email] or [Assistant Manager Phone] if you have any questions regarding this matter.

Respectfully,

Board of Directors
Williamsburg Settlement Maintenance Association

WSMA Board of Directors Duties, Responsibilities and Procedures

5.2.4 Final Demand Letter

Williamsburg Settlement Maintenance Association
P.O. Box 219320
Houston, Texas 77218-9320



Letter Date – **FINAL DEMAND LETTER**

First Name
Second Name
Street Address
City, ST ZIP

RE: Inspection Date: MM/DD/YYYY

Dear Member,

This letter is to request that you resolve the following referenced violation(s) of the Covenants, Conditions, and Restrictions (CCRs) by MM/DD/YYYY.

1) Violation verbiage.

Please be further advised if you do not resolve the violation(s) referenced in this letter by MM/DD/YYYY, this matter may be turned over to the Association’s attorney and you will be charged all reasonable attorney’s fees and other reasonable costs incurred by the Association related to enforcing the Covenants, Conditions and Restrictions (CCRs). These fees and costs can be a substantial amount.

We trust that your interest in your community will prompt you to comply with the Covenants, Conditions and Restrictions (CCRs).

Should you have any questions regarding this matter please do not hesitate to contact Crest Management at [Assistant Manager Email] or [Assistant Manager Phone].

Respectfully,

Board of Directors
Williamsburg Settlement Maintenance Association

WSMA Board of Directors Duties, Responsibilities and Procedures

5.3 Yard-of-the-Month Procedure

The procedure to be followed each month for the selection and award of the Yard-of-the-Month winner shall be conducted in the following 6 steps:

- Step 1 - By the 15th of the previous month, complete judging and select a winner and a runner up.
- Step 2 – Validate eligibility:
 1. Check the YOM page of the WSMA website to confirm that they haven't won the award within the last two years
 2. Check with the Treasurer to confirm that they are current on all maintenance fees and any other outstanding costs and don't have any deed restriction violations on which a demand letter has been sent.

If one or more of the above problems exist, make another selection and return to Step 1.

- Step 3 – Inform the winner of their selection. If they accept, interview them to collect:
 1. Information for the descriptive article on the award. This can be collected by asking the homeowner to complete a "fill in the blanks" form and return it by the 21st of the month.
 2. Their approval to have photographs taken and published on the website

If the winner declines to accept the award, repeat Step 3 for the runner up.

If the runner up also declines, return to Step 1

- Step 4 - By the 22nd of the month – Using the information from the homeowner, prepare a write-up for posting on the Association and MNN websites and make arrangement to have the YOM photo taken, and email the writeup to the Communications Chairperson for any final editing.
- Step 5 - On the last day of the pre-award month, remove the YOM sign from the previous winner's yard and install it in the yard of the current month's winner so that it is in place and ready to be photographed and the photo emailed to the Communications Chairperson on the morning of the 1st day

WSMA Board of Directors Duties, Responsibilities and Procedures

of the month.

- Step 6 - Communications Chairperson posts the photograph of the YOM and the accompanying write-up on the YOM page of the Association website and emails these to the Krenek Printing Company for posting on the Settlement portal of its MNN website.

The procedure for the December Holiday Decoration contest is the same as above except that the committee selects those it considers to be the 10 best decorated homes and the Communications Chairperson sends these out to the residents for them to select the first, second and third place winners. The appropriate Holiday Decoration Signs for each are then posted in the winners' yards.

New signs can be made each year and left with the three award recipients. Alternatively existing reusable signs may be used. These are usually stored in the clubhouse attic when not in use.

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5.4 Records Retention Schedule

**WILLIAMSBURG SETTLEMENT MAINTENANCE ASSOCIATION
RECORDS RETENTION SCHEDULE**

PERMANENT
<p>Articles of Incorporation</p> <p>By-Laws</p> <p>Deed Restrictions</p> <p>Minutes of Board and Annual Meetings</p> <p>Architectural Review Committee (ARC) Documentation & Exterior Modification Request (EMR)s</p> <p>Letter granting HOA tax exempt status</p> <p>1993/1994 Perimeter Fence Project</p>
SEVEN YEARS:
<p>Financial Information:</p> <ul style="list-style-type: none"> - Budgets - Bank Statements (Financial Reports) - Paid Invoices and Check Copies including Maintenance & Repair Records - Year End Uncollected Account Records (Delinquencies) - Year End General Journal Entries - Property Appraisals and Reserve Studies - Audit Reports - Tax Returns and Payment Receipts <p>Homeowner Correspondence</p> <p>Account records of current owners</p> <p>Election check-in sheets (Note - Ballots and Proxies are shredded after 15 days)</p> <p>Vendor Contracts of a term of one year or more;</p> <p>Insurance Policies</p> <p>Insured Property Damage Reports and reconciliations</p>

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable records will be considered not maintained as part of the Associations books and records and will be periodically purged and paper records shredded.

WSMA Board of Directors Duties, Responsibilities and Procedures

5.5 Playground Safety Self-Inspection Checklist

THIS CHECKLIST DOCUMENTS THE PERIODIC SAFETY CHECKS OF THE OUTDOOR PLAY AREA CONDUCTED TO REDUCE THE POTENTIAL FOR ACCIDENTS AND INJURIES:

- CHECK THE EQUIPMENT FOR CRACKS, BENDING, WARPS, RUSTING, OR BREAKAGE OF ANY COMPONENT
- CHECK FOR ANY CRACKED ITEMS THAT MAY POSE A PINCHING HAZARD
- CHECK FOR LOOSE NUTS, BOLTS, AND CAPS OR PROTRUDING BOLTS WITH SHARP EDGES AND NO CAPS
- CHECK FOR RUSTY EQUIPMENT
- CHECK THE CHAINS ON SWINGS TO SEE THAT THEY ARE SECURELY ATTACHED
- CHECK FOR VANDALISM
- MONITOR PLAY AREA FOR ANIMAL FECES, POISONOUS PLANTS OR OTHER DEBRIS
- CHECK THE ENERGY ABSORPTIVE MATERIAL UNDER AND AROUND THE PLAY EQUIPMENT, RAKE IF NECESSARY
- CHECK FOR TRIPPING HAZARDS, SUCH AS EXPOSED FOOTINGS, ROOTS, ROCKS, ETC.
- CHECK FOR SLIPPING HAZARDS, INCLUDING ACCESS PAVEMENT
- CHECK FOR BROKEN SUPPORTS/ANCHORS
- CHECK FOR LACK OF LUBRICATION ON MOVING PARTS
- CHECK FOR POOR DRAINAGE AREAS
- CHECK FOR CHIPPING OR PEELING PAINT ON ALL EQUIPMENT
- CHECK FOR SHARP EDGES AND POINTS ON FENCES, PLAY EQUIPMENT, ETC

ANY OBSERVED ISSUES REQUIRING CORRECTIVE ACTION:

SIGNATURE AND POSITION OF PERSON COMPLETING THE ABOVE INSPECTION CHECKLIST

DATE OF INSPECTION