

# **Harrington Homeplace Homeowners Association**

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## **Waiver Policy**

WHEREAS, the Board of Directors (the "Board") of Harrington Homeplace Homeowners Association, (the "Association") wishes to establish a Policy for the establishment of a uniform and consistent policy to manage requests for waivers of late fees, interest and/or other charges to an owner's account incurred as a result of non-payment by the due date or grace period.

WHEREAS, the Board intends to file this Policy in the real property records of each county in which the subdivision is located, in compliance with Section 202.006 of the Texas Property Code; and

NOW, THEREFORE, IT IS RESOLVED that the following guidelines are established by the Board for the Waiver Policy:

It is the intention of the Board of Directors to work with owners who have a legitimate reason for making a late payment, but not to the detriment of owners who make their payments in a timely manner.

The Board of Directors recognizes there may be extenuating circumstances that may prevent an owner from making a payment on time. Therefore, the Board will grant a waiver to any owner subject to the following conditions:

- 1) Requests for waivers shall not be granted for any out of pocket collection costs to the association i.e. demand letters, attorney's fees, collection costs or administrative costs incurred by the association for the management of the community's receivables i.e. NSF and return check charges.
- 2) Requests for waivers shall not be granted to an owner that has previously defaulted on a payment plan in the preceding two (2) years.
- 3) Requests for waivers shall not be granted to any owner that received a waiver within the preceding two (2) years.
- 4) Requests for waivers will be subject to the owner's unpaid balance being received within ten (10) business days from the date of notification or by a date mutually agreed upon by the owner and the association. If an owner is unable to abide by the terms of a conditional waiver, the waiver will be denied but the owner will be allowed to request a payment plan, if eligible, under the association's Payment Plan Policy.

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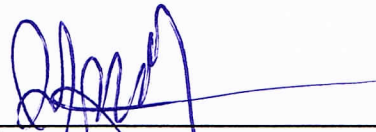
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- 5) In the event the conditions of a waiver are not met, the owner will not be eligible to request another waiver for a period of six (6) months or until they are again eligible for a waiver under the terms of the policy.
- 6) Each waiver shall consist of no more than one (1) late fee and associated interest, if applicable.

This policy shall supersede and render null and void any and all previously adopted Waiver Policies adopted by the Board.

IT IS FURTHER RESOLVED that this Payment Plan Policy is effective when filed with the office of the county clerk, to remain in effect until revoked, modified, or amended.

Date: Oct. 28, 2015

  
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Signature  
I. J. Morales, Jr.  
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Name  
President  
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Title