



**WESTCREEK COMMUNITY ASSOCIATION  
RECORDS RETENTION POLICY**

This Record Retention Policy was approved by the board of Directors for Westcreek Community Association, on the 25th day of October, 2011.

The Association shall maintain its records as follows:

<u>RECORD</u>	<u>RETENTION PERIOD</u>
Certificate of Formation/Articles of Incorporation, Bylaws, Declarations and all amendments to those documents.	PERMANENT
Association Tax Returns and Tax Audits	SEVEN (7) YEARS
Financial Books and Records	SEVEN (7) YEARS
Account Records of Current Owners	FIVE (5) YEARS
Contracts with a term of more than one year	FOUR (4) YEARS AFTER CONTRACT EXPIRES
Minutes of Member Meetings and Board Meetings	SEVEN (7) YEARS

Records not listed above are not subject to retention. Upon expiration of the retention date, the applicable record will be considered not maintained as a part of the Association books and records.

CERTIFICATION

"I, the undersigned, being the President of Westcreek Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: C.W. Pickering, Jr., President

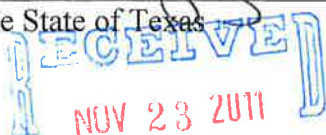
Print name: C.W. PICKERING, JR.

STATE OF Texas, COUNTY OF Harris

This instrument was acknowledged before me on the 26 day of October, 2011 by

C.W. PICKERING, JR. President of Westcreek Community Association

Melinda Rodriguez  
Notary Public in and for The State of Texas



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**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2011 Nov 15 10:03 AM

2011114512

LW \$11.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS

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**WESTCREEK COMMUNITY ASSOCIATION  
RECORDS PRODUCTION POLICY**

This Record Production Policy was approved by the board of Directors for Westcreek Community Association, on the 25th day of October, 2011.

**I. Copies of Association records will be available to all Owners upon their proper request and at their own expense.**

- a. Request must be sent certified mail to the Association's address as reflected in its most recent management certificate;
- b. Request must be from an Owner, or the Owner's agent, attorney, or certified public accountant; and
- c. Request must contain sufficient detail to identify the records being requested.

**II. Owners may request to inspect the books and records or may request copies of specific records.**

- If the owner makes a request to inspect the books and records, then the Association will respond within **10 business days** of the request, providing the dates and times the records will be made available and the location of the records. The Association and the owner shall arrange for a mutually agreeable time to conduct the inspection. The Association shall provide the owner with copies of specific documents upon the owner paying the Association the cost thereof.
- If the owner makes a request for copies of specific records, the Association shall send a response letter advising on the date that the records will be made available. (within **15 business days**) and the cost the owner must pay before the records will be provided. Upon paying the cost to provide the records, the Association shall provide the records to the owner.

**III. The Association hereby adopts the following schedule of costs:**

<u>COPIES</u>	10 cents per page, for a regular 8.5" x 11" page
	50 cents per page, for pages 11" x 17" or greater

Actual cost, for specialty paper (color, photograph, map, etc...)



BY:.....

<u>LABOR</u>	\$15.00 per hour for actual time to locate, compile and reproduce the records. (can only charge if request is greater than 50 pages in length)
<u>OVERHEAD</u>	20% of the total labor charge (can only charge if request is greater than 50 pages in length)
<u>MATERIALS</u>	actual costs of labels, boxes, folders, and other supplies used in producing the records, along with postage for mailing the records

**IV. The Association hereby adopts the following form of response to Owners who request to inspect the Association's Books and Records:**

<p>WESTCREEK COMMUNITY ASSOCIATION  <u>RESPONSE TO REQUEST FOR ASSOCIATION RECORDS</u></p> <p>September 7, 2011</p> <p>Dear Homeowner,</p> <p>On April 1, 2012 the Association received your request to inspect the books and records of the Association. The books and records of the Association are available for you to inspect on regular business days, between the hours of 9a.m. and 5 p.m. Monday - Thursday, at the office of Graham Management, 12000 Westheimer, Suite 390, Houston, Texas 77077.</p> <p>Please contact the Association manager at 281-497-4320 to arrange for a mutually agreeable time for you to come and inspect the books and records. Please be advised that if you desire copies of specific records during or after the inspection, you must first pay the associated costs before the copies will be provided to you. A schedule of costs is included with this response.</p> <p style="text-align: right;">Very Truly Yours,</p> <p style="text-align: right;">Westcreek Community Association</p>
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**V. The Association hereby adopts the following form of response to Owners who request copies of specific records:**

WESTCREEK COMMUNITY ASSOCIATION  
RESPONSE TO REQUEST FOR ASSOCIATION RECORDS

April 11, 2012

Dear Homeowner:

On April 1, 2012, the Association received your request for copies of specific Association records. We are unable to provide you with the requested records within 10 business days of your request. However, the requested records will be available to you no later than 15 business days after the date of this response.

In order to obtain the records you must first pay the Association the cost of providing the records to you. The estimated cost to obtain the records you requested is \$ \_\_\_\_\_. Upon receiving payment, the Association will mail the requested documents to you. You may also make payment and pick up the documents in person at the office of Graham Management, 12000 Westheimer, Suite 390, Houston, Texas 77077.

Very Truly Yours,  
Westcreek Community Association

**VI. If the estimated cost provided to the Owner is more or less than the actual cost of producing the documents, the Association shall, within 30 days after providing the records, submit to the owner either an invoice for additional amounts owed or a refund of the overages paid by the Owner.**

**VII. Unless authorized in writing or by court order, the Association will not provide copies of any records that contain the personal information of an owner, including restriction violations, delinquent assessments, financial information, and contact information to any owner. All owners may obtain their own records.**

CERTIFICATION

"I, the undersigned, being the President of Westcreek Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: *CW Pickering, Jr.*, President

Print name: CW PICKERING, JR.

STATE OF Texas, COUNTY OF Harris

This instrument was acknowledged before me on the 26 day of October, 2011 by *CW Pickering, Jr.* President of Westcreek Community Association

*Melinda Rodriguez*  
Notary Public in and for The State of Texas



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2011 Nov 15 10:03 AM

LW \$19.00

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Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS



WESTCREEK COMMUNITY ASSOCIATION COLLECTION POLICY

ADMINISTRATIVE RESOLUTION: Delinquent Assessments

WHEREAS, Article V, Section 5.3., of the Declaration of Covenants, Conditions, and Restrictions for Westcreek, provides that the due date for the assessments shall be January 1 of each year;

AND WHEREAS, Article V, Section 5.6., of the Declaration of Covenants, Conditions, and Restrictions provides that assessments which are not paid within 30 days after the due date shall be delinquent;

AND WHEREAS, there is a need to establish orderly procedures for the collection of assessments which remain unpaid past their due date;

AND WHEREAS, it is the intent of the Board to establish steps for the collection of delinquent assessments be as follows:

1. The annual assessment shall be due and payable on the first day of January of each year.
2. Any assessments which are not paid by January 31<sup>st</sup> shall be delinquent.
3. Delinquent assessments shall be assessed a late fee in the amount of \$25.00 per month
4. Delinquent assessments shall bear interest at the rate of 18% per annum until paid.
5. On approximately February 15<sup>th</sup>, a notice of delinquency shall be mailed to owners who are still delinquent. The notice shall specify the amount of the delinquent payments and the interest accrued as of that date.
6. If the assessment is not paid by March 15<sup>th</sup>, a notice of delinquency shall be mailed certified and shall include a demand for payment of the full amount owing which includes the assessment plus late fees, certified letter fees and all other costs to date within thirty (30) days.
7. If timely response to the demand for payment is not received, the Association's attorney will issue a legal demand letter for payment of the full amount owing including the assessment, interest accrued as of that date, and legal fees incurred on that account as of that date. In the event the delinquent account remains unpaid, the Board will review the accounts with the Managing Agent and shall elect a remedy of law.



BY:.....

This resolution is in addition to and shall in no way whatsoever detract from the rights of the Association as specified in the Westcreek Declarations.

This Resolution was adopted by the Board of Directors this 25th day of October, 2011 and shall be effective as of said date.

**CERTIFICATION**

"I, the undersigned, being the President of Westcreek Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors."

By: C.W. Pickering, Jr., President

Print name: C.W. PICKERING, JR.

STATE OF Texas  
COUNTY OF Harris

This instrument was acknowledged before me on the 26 day of October, 2011 by C.W. PICKERING, JR. (President of Westcreek Community Association

Melinda Rodriguez  
Notary Public in and for The State of Texas



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2011 Nov 15 10:03 AM

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LW \$15.00

Dianne Wilson COUNTY CLERK  
FT BEND COUNTY TEXAS





**WESTCREEK COMMUNITY ASSOCIATION  
PAYMENT PLAN POLICY**

This payment plan policy was approved by the board of Directors for Westcreek Community Association, on the 25<sup>th</sup> day of October, 2011.

- 1) Owners are entitled to one approved payment plan to pay their annual assessments.
- 2) All payment plans require a down payment and monthly payments.
- 3) Upon Request, all Owners are automatically approved for a payment plan consisting of 25 % down, with the balance paid off in 3 monthly installments. If an owner makes a request they will be allowed a payment plan.
- 4) If an owner defaults on the payment plan, the payment plan is automatically terminated and the Association is not obligated to make another payment plan with the owner for the next two years.
- 5) Alternative payment plan proposals must be submitted to and approved by the Association. The Association is not obligated to approve alternative payment plan proposals.
- 6) The Association cannot charge late fees during the course of a payment plan, but can charge interest at the rate it is entitled to under its Governing Documents, 18 %, and can charge reasonable costs of administering the payment plan.

CERTIFICATION

“I, the undersigned, being the President of Westcreek Community Association, hereby certify that the foregoing Resolution was adopted by at least a majority of the Association Board of Directors.”

By: CW. Pickering, Jr., President

Print name: CW PICKERING, JR.

STATE OF Texas, COUNTY OF Harris

This instrument was acknowledged before me on the 26 day of October, 2011 by

CW. PICKERING, JR., President of Westcreek Community Association

Melinda Rodriguez  
Notary Public in and for The State of Texas

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OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

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Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS