



The Villages of Westcreek
Owners' Association

HOME OWNER INFORMATION AND ACTION FORM

Community standards are set and maintained by the residents in a community association. Have you seen something which you think could be done better in your community? All members are encouraged to contact the Board by filling out this form and dropping it in the mail.

QUESTIONS OR COMMENTS:

If you would like to discuss the matter personally with a Board or committee member, or if you would like someone to contact you, please fill in the information below. This information will only be used to contact you, it will not be released to anyone.

Your Name:

Home Phone:

Address:

Evening Phone:

FOR POSSIBLE VIOLATIONS:

1. List the Article and paragraph number from the Declaration of Covenants, Conditions and Restrictions, or other rules, under which the alleged violation is cited. *(Researching the documents for the cited rule ensures that the Association has the authority or responsibility to act on the violation.)*
2. List specifics of the situation that describe what you believe violates the cited rule(s):
3. Identify the address of the property on which the alleged violation has occurred (if known):
4. If other than a residential lot, identify the location on which the alleged violation took place:

WHAT ARE COVENANTS AND DEED RESTRICTIONS?

The seller of property can put conditions or restrictions on the future use of property when he or she agrees to sell; for example, no building higher than two stories can be built. If the buyer builds a three-story house, the seller can reclaim the property. When the developer of a planned community wants to establish a mandatory membership owners association to enforce its deed restrictions, he or she files, a Declaration of Covenants, Conditions and Restrictions at the County Courthouse in the county where the property is located. This is recorded notice to all potential buyers that, from the date of the filing forward, anyone buying any part of the land will be obligated to abide by the restrictions and conditions listed in the Declaration. The conditions include automatic membership in the owners association, an obligation to pay assessments to support the association, and a requirement to follow all rules set down in the Declaration or by the Association through its Bylaws or Resolutions. By accepting the deed to the property, the buyer covenants (promises) to abide by the terms of the Declaration.

FOLD HERE

(RETURN NAME AND ADDRESS)

PLACE
STAMP
HERE

VILLAGES OF WESTCREEK OWNERS ASSN., INC
12395 MILITARY DRIVE WEST
SAN ANTONIO, TEXAS 78253

WHAT CAN ACTUALLY BE DONE ABOUT VIOLATIONS?

The importance of complying with the covenants, conditions and restrictions has been made clear by the Texas Legislature in the 1987 statute which states that the community association covenants and restrictions will be liberally rather than narrowly construed or interpreted. The law also allows a judge to fine someone in violation up to \$200 per day from the day the violation began, and court costs and attorney's fees can be awarded to the prevailing party.

The Board must ensure that the provisions of the documents are upheld for the benefit of all owners. Deed restriction violations cause the Board to remind the owner of the promise he or she made, to demand that the violation cease, and to require that the property be brought into compliance with the documents. The Association, through its committees or the Board or any individual owner, can take formal action to have the owner come into compliance, after proper notice and due process.

Your input is important to us!