

**NOTICE OF FILING TO DEDICATORY  
INSTRUMENTS ( Collection Policy)  
WEST MONT MAINTENANCE ASSOCIATION, INC.**

STATE OF TEXAS                    )  
  )  
COUNTY OF TARRANT            )       **KNOW ALL MEN BY THESE PRESENTS**

**THIS NOTICE OF DEDICATORY INSTRUMENTS FOR WESTMONT MAINTENANCE ASSOCIATION, INC. (“Notice”) is made AUGUST 19, 2022 by Westmont Maintenance Association, Inc. (“The Association”)**

**WITNESSETH:**

**WHEREAS**, the Association is the property owners’ association created to manage or regulate the planned development covered by the **Declaration of Covenants, Conditions and Restrictions for WESTMONT**; and

**WHEREAS**, Section 202.006 of the Texas Property Code provides that a property owners’ association must file each dedicatory instrument governing the association that has not been previously recorded in the real property records of the county in which the planned development is located; and


**WHEREAS**, the Association desires to record the attached dedicatory instrument in the real property records of **TARRANT County**, Texas, pursuant to and in accordance with Section 202.006 of the Texas Property Code and for the purpose of providing public notice of the following dedicatory instrument affecting the owners of property within **WESTMONT** subdivision (“Owner”).

**NOW THEREFORE** the attached, known as the Westmont Collection Policy is hereby attached, hereto as Exhibit “A” are originals and are hereby filed of record in the real property records of **TARRANT County**, Texas, in accordance with the requirements of Section 202.006 of the Texas Property Code.

**IN WITNESS WHEREOF**, the Association has caused this Notice, executed by its duly authorized agent as of the date first written above.

**WESTMONT MAINTENANCE ASSOCIATION, INC.**

By: *Dawn Kelly*  
Name: Dawn Kelly  
Title: Property Manager

  
**D22222381**  
09/08/2022 11:41 AM    Page: 1 of 4    Fees: \$31.00  
NOTICE  
SUBMITTER: PROPERTY MANAGEMENT GROUP LLC

*Mary Louise Nicholson*  
MARY LOUISE NICHOLSON  
COUNTY CLERK

**ACKNOWLEDGMENT**

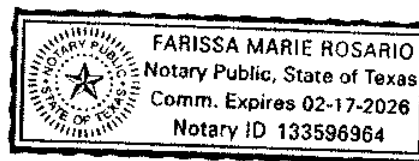
**STATE OF TEXAS**

**COUNTY OF TARRANT**

BEFORE ME, the undersigned authority, on this day personally appeared Dawn Kelly, authorized agent of **WESTMONT MAINTENANCE ASSOCIATION, INC.** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed the same for the purposed and consideration therein expressed on behalf of said corporation.

SUBSCRIBED AND SWORN TO BEFORE ME on this 6 day of September 2022

*Fariessa Marie Rosario*





**Westmont Maintenance Association, Inc. COLLECTION POLICY**

Westmont Maintenance Association, Inc. collection process includes the following steps *unless authorized exceptions to this process communicated in writing from the Board of Directors through the Association Manager.*

1 <sup>st</sup> Friendly Notice	<ul style="list-style-type: none"> <li>Issued by the billing department 30 days after the Association's late date as a statement showing the total amount due.</li> <li>Only issued to owners with a balance of \$10 or more, not on a payment plan.               <ul style="list-style-type: none"> <li>Interest is not calculated on balances under \$2.</li> </ul> </li> </ul>	Late Fee (\$50.00) + Collection Fee (\$15.00)
2 <sup>nd</sup> Formal Notice	<ul style="list-style-type: none"> <li>Issued by the billing department as a late letter (typically 30 days after the Friendly Notice).</li> <li>Includes the Fair Debt Collections verbiage and allows the account holder 30 days from receipt of notice to address the delinquent account.               <ul style="list-style-type: none"> <li>Per the Texas Property Code, these notices must be mailed certified (also mailed first class) and include language regarding restricted access to amenities and the right to cure.</li> </ul> </li> </ul>	Late Fee (\$100.00)+ Collection Fee (\$15.00)
3 <sup>rd</sup> Chapter 209 Notice	<ul style="list-style-type: none"> <li>Notice and statement are sent per property code 30 days               <ul style="list-style-type: none"> <li>This third notice is the final step before escalating to a legal firm. Includes notice with statement sent certified mail.</li> <li>Final 45 days granted to allow for payment/ payment plan set up.</li> </ul> </li> </ul>	Late Fee (\$150.00)+ Collection Fee (\$15.00)
Demand Letter	<ul style="list-style-type: none"> <li>Account is sent to the legal firm of community and further communication is sent from law firm direct and will follow the requirements per state code notification..</li> <li>All legal costs associated with the demand letter processing and mailing will be added to account.</li> <li>Only applies to account holders with a balance of greater than \$200.00</li> </ul>	Late Fee (\$175.00) +Collection Fee (\$15.00)+ Demand Letter at attorney cost
Lien	<ul style="list-style-type: none"> <li>The billing department will automatically proceed with an Authorization to Lien <i>unless the Manager or Board of Directors stipulates otherwise</i>, (approximately 30-60 days after the mailing of the demand letter).</li> <li>The lien is filed with the county clerk where the property is located and is a legal record that a debt is owed and is secured against the property in question.. Costs associated with processing are added to the account.</li> <li>Processing and filing a lien with the county clerk can take up to 30 days.</li> </ul>	Late Fee (\$200.00) + Collection Fee (15.00) +Attorney Fee
Foreclosure	<ul style="list-style-type: none"> <li><b>Authorization for Foreclosure must be Board-approved in writing.</b> <ul style="list-style-type: none"> <li>The approval should be in the form of Board-approved meeting minutes or a signature on an approved form.</li> <li>The collection agency or attorney's office requires the Board to sign an Assignment of Substitute Trustee (AST) that allows the</li> </ul> </li> </ul>	Late Fee (\$250.00) + Collection Fee (\$15.00) Fee + Attorney Fee for Foreclosure




**PROPERTY MANAGEMENT**  
GROUP

	<p>chosen representative to post and settle a foreclosure on behalf of the Board.</p> <ul style="list-style-type: none"><li>• Processing an account for foreclosure can take more than 90 days</li><li>• There are two types of foreclosure available to Associations, judicial and expedited non-judicial.</li><li>• Expedited non-judicial foreclosure is a new requirement for Associations that do not require judicial foreclosure per HB 1228 effective 1/1/2012.</li><li>• A homeowner has a six-month (180 day) period to redeem property that has been foreclosed by paying the amount owed in full, including all dues, legal, and collection fees; a condominium owner has a three month (90-day) right of redemption.<ul style="list-style-type: none"><li>○ If the property is not redeemed, the next step is Authorization to Sell or Authorization to Evict.</li><li>○ The Association can proceed with Authorization to Evict once the property has been foreclosed.</li></ul></li><li>• <b>NOTE 1:</b> The Association lien is subordinate to the first lien holder (mortgage company). If the mortgage company forecloses on the property, the Association lien is relinquished and the amount owed is written off to unrecovered assessments. The mortgage company is responsible for all dues and fees incurred after the date of foreclosure, as they are the new legal owners of the property.</li></ul>	
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FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS OF  
TARRANT COUNTY, TEXAS  
09/08/2022 11:41 AM

D222222381  
NOTICE  
Pages: 4  
Fees: \$31.00

  
MARY LOUISE NICHOLSON  
COUNTY CLERK

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