

**WINDSOR LAKES HOMEOWNERS ASSOCIATION
BOARD OF DIRECTOR RESOLUTION
REGARDING HUD RECORDS AND RETAINMENT**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Windsor Lakes Homeowners Association, Inc., is filed in the Real Property Records of Montgomery County, Texas, under Clerk's File No. 2003068161, along with any supplements thereto or amendments thereof (the "Declaration"); and

WHEREAS Windsor Lakes Home Owners Association is protected and regulated under 42 U.S.C. Paragraph 3607(b)(20)(C) US Fair Housing Act, as administered by the Housing and Urban Development (HUD) 55+ Community standards. The Association is required to maintain accurate and up-to-date age records and registration of all residents in the community. Such data must be collected annually and reported on a periodic basis, at least once every two(2) years. The HOA board is charged with the responsibility of maintaining these records and having them available for audit upon demand by HUD officials.

WHEREAS Article VI, Section 5 of the Declaration of Covenants, Conditions and Restrictions for Windsor Lakes Homeowners Association, Inc., (DCCRs) states an intent to comply with and be consistent with the provisions of the Fair Housing Act including the provision in such Act which exempts housing for older persons from the prohibition against discrimination based on familial status set for in 42 U.S.C. Section 3607(b)(2)© OR any successor statute.

WHEREAS the DCCRs Article VI, Section 5 makes clear that the age restriction pertains to occupants and not to Owners, owners are required to comply with the DCCRs and the Fair Housing Act when leasing or whenever there is a change of occupancy as a result of transfer, sale, gift, lease sublease, death, birth, marriage, separation, divorce or otherwise. The DCCRs require such owners to "immediately notify the Board of Directors in writing and provide the Board with the names and ages of all current occupants of the Lot or Unit and whatever age verification the Board may reasonably require. See, DCCRs Art. VI, Sec.5. Each Owner shall be responsible for ensuring compliance with the requirements and restrictions of this Section 5 and all rules of the DCCR of its Lot or Unit, including by any tenants or occupants of said Lots or Units. See, DCCRs Art. VI, Sec.5.

WHEREAS the DCCRs at Article VI, Section 5 provides failure to comply with the required notification within ten (10) days after a change in occupancy occurs may result in monetary fines against the Owner and the Lot or Unit for each day after the change in occupancy occurs until the Association receives the required notice and information, regardless of whether the occupants meet the requirements of this section. Any such monetary fines shall be deemed a Benefited Assessment and may be collected and enforced as such. Article VI, Section 5.

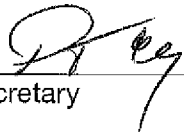
WHEREAS the DCCRs at Article VI, Section 5 requires the Board to maintain age records on all occupants of Lots and Units, and to update such records by conducting a census of occupants of Lots and Units, requiring copies of birth certificates or other proof of age for such occupants to be provided to the board on a periodic basis at least every two (2) years.

WHEREAS, Article VI, Sections 1 and 11 of the Declaration authorizes the Association Board of Directors to promulgate rules and regulations applicable to all lots, units and common areas. And the DCCRs at Article VI, Section 5 specifically states that the "Board shall establish policies and procedures from time to time as necessary to maintain its status as an age restricted community under state and federal law" and "shall adopt policies, procedures and rules to monitor and maintain compliance with the DCCRS, the Fair Housing Act and any successor statute.

NOW THEREFORE BE IT RESOLVED that the Windsor Lakes HOA Board of Directors hereby adopts the following HUD Records Attainment and Retention Policy:

1. Home and Unit Owners will be contacted annually by mail, requesting completion of required information, including age records, indicating the full legal name, date of birth and evidenced by a copy of a State, or Federal ID, of each and every Occupant of a unit owned by said Owner. It is the responsibility of the Owner of the Home or Unit to provide a current address if they are not also the Occupant.
2. This age record reporting obligation falls upon the Owner of each Home and Unit, not the Occupant if they are not also the Owner, despite fact that the information being requested is that of the Occupant.
3. A reasonable time of 45 days will be given from post marked date of the Notice for Owners to provide such information by mail or in-person directly to the office at the Clubhouse of the Association. Such information must be provided in writing and signed by the Owner of the unit even if no changes have occurred since the previous request for information was submitted, For each request, the new form for the HUD records must be submitted.
4. At the conclusion of the 45 day period for submitting information, the HOA Board may assess a fine of \$100 per month/30 day period for each month/30 day period or part thereof such information is not provided.
5. Any fine that is not fully paid when due is delinquent. When the account of an Owner becomes delinquent, it remains delinquent until paid in full, including collection costs and attorney fees, interest and late fees.
6. The Board of Directors may choose at any time to adopt policies, procedures and rules to monitor and maintain compliance with the DCCRS, the Fair Housing Act and any successor statute in order to maintain the Windsor Lakes status as an age restricted community under State and Federal Law.

APPROVED BY The Board of Directors on the 26 day of July, 2023.


Secretary

PATRICK T CLEARY
Print Name

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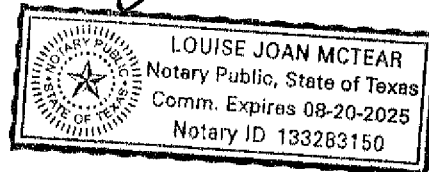
THE STATE OF TEXAS

COUNTY OF MONTGOMERY

Before me, a Notary Public, on this day personal appeared Patrick Clary, Secretary of Windsor Lakes Homeowners Association, Inc., known by me to be the person whose name is subscribed to the foregoing instrument and, being by me first duly sworn and declared that he/she executed same in the capacity and consideration therein expressed.

Given under my hand and seal of office this 26th day of July, 2023.

Louise J. McTear
Notary Public, State of Texas



E-FILED FOR RECORD

07/27/2023 08:28AM



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was e-filed in the file number sequence on the date and time stamped herein by me and was duly e-RECORDED in the Official Public Records of Montgomery County, Texas.

07/27/2023



L. Brandon Steinmann

County Clerk,
Montgomery County, Texas