



**Quail Creek Homeowners Association**  
**QCHOA INC.**

**RULES FOR DUE PROCESS NOTICES**

The following Rules for Due Process Notices (the “**Rules**”) are established by the Board of Directors (the “**Board**”) of QCHOA, Inc. (the “**Association**”) in accordance with Texas Property Code, Subsections 209.0064, and 209.0065.

Regarding Sec. 209.0064. THIRD PARTY COLLECTIONS.<sup>i</sup>

(a) In this section, "collection agent" means a debt collector, as defined by Section 803 of the federal Fair Debt Collection Practices Act (15 U.S.C. Section 1692a).

(b) The Association may not hold an Owner liable for fees of a collection agent retained by the Association unless the Association first provides written notice to the Owner by certified mail that:

(1) specifies each delinquent amount and the total amount of the payment required to make the account current;

(2) describes the options the Owner has to avoid having the account turned over to a collection agent, including information regarding availability of a payment plan through the Association; and

(3) provides a period of at least 45 days for the Owner to cure the delinquency before further collection action is taken.

(c) An Owner is not liable for fees of a collection agent retained by the Association if:

(1) the obligation for payment by the Association to the collection agent for fees or costs associated with a collection action is in any way dependent or contingent on amounts recovered; or

(2) the payment agreement between the Association and the collection agent does not require payment by the Association of all fees to a collection agent for the action undertaken by the collection agent.

(d) The agreement between the Association and the collection agent may not prohibit the Owner from contacting the Board or the Association’s managing agent regarding the Owner’s delinquency.

(e) Association may not sell or otherwise transfer any interest in the Association’s accounts receivables for a purpose other than as collateral for a loan.

Regarding Sec. 209.0065. CREDIT REPORTING SERVICES.<sup>ii</sup>

(a) The Association or the association’s collection agent may not report any delinquent fines, fees, or assessments to a credit reporting service that are the subject of a pending dispute between the Owner and the Association.

(b) The Association may report the delinquent payment history of assessments, fines, and fees of Owners within its jurisdiction to a credit reporting service only if:

(1) at least 30 business days before reporting to a credit reporting service, the Association sends, via certified mail, hand delivery, electronic delivery, or by other delivery means acceptable between the parties, a detailed report of all delinquent charges owed; and

(2) Owner has been given the opportunity to enter into a payment plan.

(c) Association may not charge a fee to an individual Owner for the reporting under Subsection (b) of the delinquent payment history of assessments, fines, and fees of Owners within the association 's jurisdiction to a credit reporting service.

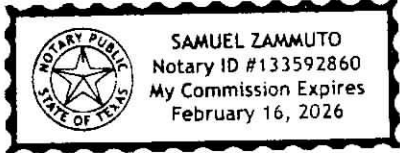
The foregoing Rules for Due Process Notices was duly adopted by the Board of the Association on the 17<sup>th</sup> day of October, 2022.

QCHOA, INC.

By: [Signature]  
Robert Steinhagen, President

STATE OF TEXAS                    §  
  §  
COUNTY OF ROCKWALL        §

This instrument was acknowledged before me on this 24<sup>TH</sup> day of FEBRUARY, 2023 by (name) ROBERT STEINHAGEN, the (title) PRESIDENT of QCHOA, Inc., a Texas non-profit corporation, on behalf of said corporation.



[Signature]  
Notary Public, State of Texas

<sup>1</sup> Property Code Title 11, § 209.0064 Added by Acts 2011, 82nd Leg., R.S., Ch. 1282 (H.B. 1228), Sec. 2, eff. January 1, 2012. Amended by: Acts 2015, 84th Leg., R.S., Ch. 1183 (S.B. 1168), Sec. 19, eff. September 1, 2015. Acts 2021, 87th Leg., R.S., Ch. 951 (S.B. 1588), Sec. 16, eff. September 1, 2021.  
<sup>11</sup> Property Code Title 11, § 209.0065 Added by Acts 2021, 87th Leg., R.S., Ch. 951 (S.B. 1588), Sec. 17, eff. September 1, 2021.

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*Jennifer Fogg*