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TRISHA TAYLOR FARINE –
BOARD CERTIFIED, PROPERTY OWNERS ASSOCIATION LAW,
COMMERCIAL & RESIDENTIAL REAL ESTATE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

November 20, 2023

*Case close date
Jan 3, 2024*

Justin Allen Hicks
2106 Cherry Hills Ln.
League City, TX 77573

Via CMRRR#: 7020 3160 0001 3849 6527
and Regular Mail

DEMAND LETTER

Re: Property Address: 2106 Cherry Hills Ln.
Legal Description: Lot 29, Block 2, Section 5
Association: South Shore Harbour Community Association, Inc.
Ref No. 2519.0020

Dear Property Owner,

Please be advised that our office represents the above referenced Association in its efforts to collect delinquent maintenance assessments. Please direct all further communications regarding this matter to my attention at the address and phone number included in this letter. **PLEASE SEE THE ENCLOSED DISCLOSURES REGARDING YOUR DEBT.**

It is our understanding you are not represented by an attorney. If this is incorrect, please forward this letter to your attorney and have him or her notify this office in writing as soon as possible. We will then communicate only with your lawyer, unless your lawyer authorizes us to communicate with you directly.

When you purchased the above property, you became legally obligated to observe and comply with the terms and provisions of the Association's Declaration of Covenants, Conditions and Restrictions, as well as any associated governing documents. The Declaration imposes certain rules on your subdivision in order to protect the investment of all property owners. The provisions contained in the Association's Declaration and associated governing documents covers a variety of subjects, including provisions for the payment of maintenance assessments by every property owner in your community.

According to the Association's records, you have not paid your assessments as they have become due, nor have you submitted payment in response to the Association's collection letters. Accordingly, your account has now been turned over to our office for collection of the amounts due and demand is hereby made for payment of the amount reflected in the attached Statement of Account. If payment is not received within thirty (30) days of the date of this letter, your account will be accelerated pursuant to the terms of the Declaration, and the full amount of the annual assessment will become immediately due and payable.

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PLEASE MAKE YOUR CHECK PAYABLE TO THE ABOVE-NAMED ASSOCIATION BUT SEND THE CHECK TO MY OFFICE AT 17044 EL CAMINO REAL, HOUSTON, TEXAS 77058.

Do not send payment to the Association. If you do, additional attorneys' fees and expenses may be incurred as a result of the bookkeeping problems created by your failure to send the payment to this office. Should any negotiations be necessary in settling your account, you may be charged additional attorneys' fees and expenses to cover the expense of handling the same.

The Association is willing to enter into a payment plan for the amounts owed. However, preparation and maintenance of payment plans will require additional work on our part, and will result in additional attorneys' fees and expenses charged to your account. If you are unable to submit payment in full and are interested in a payment plan, please contact me at the phone number or address shown below.

The Association's Declaration and/or the Texas Property Code provide that in the event a lot owner is in default of payment of the assessments to the Association, the Association is entitled to and may:

- (1) file suit for collection of the unpaid assessments;
- (2) foreclose the vendor's lien described in the Declarations against the house or unit; and
- (3) collect attorneys' fees and expenses, interest, and court costs.

The Association would prefer not to take legal action. However, if this matter has not been resolved within 35 days of the date of this letter, additional collection actions will be pursued which may include the preparation and filing of a Notice of Assessment Lien in the County Real Property Records, if one has not already been filed by the Association. In addition, the Association may file a suit for foreclosure of the amounts owed. In the event a lawsuit becomes necessary and the Association prevails, you could be liable for all of the Association's attorneys' fees and expenses incurred in the filing and prosecution of that lawsuit. Please be advised that those attorneys' fees and expenses could easily exceed \$3,500.00. **Thus, it is very important that you contact me immediately so that we may attempt to amicably resolve this matter before attorney fees begin to increase.**

Although we must charge for our time, we will be happy to discuss this matter with you or your attorney, if you have retained one. Please contact us as soon as possible.

Respectfully,

DAUGHTRY & FARINE, P.C.



Trisha Taylor Farine

TTF/db
Enclosures attached.

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Important notice for your rights

If you are serving on active military duty, you may have special rights or relief related to this enforcement action under federal law, including the Service members Civil Relief Act (50 U.S.C. app. Section 501 et seq.).

STATEMENT OF ACCOUNT

South Shore Harbour Community Association, Inc.

Re: Property Address: 2106 Cherry Hills Ln.
Legal Description: Lot 29, Block 2, Section 5
Association: South Shore Harbour Community Association, Inc.
Ref No. 2519.0020

2021	Assessments (10/2021 - 12/2021 @ \$100.00/mo.)	\$300.00
	Payment (18329870)	(\$100.00)
	Finance Charges	\$4.50
	Late Fees	\$10.00
2022	Assessments (1/2022 - 12/2022 @ \$115.00/mo.)	\$1,380.00
	Payments	(\$1,355.00)
	Finance Charges	\$41.35
	Late Fees	\$60.00
2023	Assessments (1/2023 - 11/2023 @ \$115.00/mo.)	\$1,265.00
	Payments	(\$230.00)
	Finance Charges	\$27.29
	Late Fees	\$50.00
	Collection Fees	\$50.00
	Statutory Pre-Referral Notification	\$35.00
	Attorney Fees/Costs	\$211.00
	TOTAL DUE:	\$1,749.14

* If you are interested in paying online, please go to our website www.daughtryfarine.com and complete the **Online Payment Request** form. Please indicate whether you wish to pay in full or set up a payment plan. If you wish to **pay in full**, an online payment link will be sent to you. If you wish to set up a **payment plan** and pay by credit card, debit card, or e-check, a member of our team will contact you to set up the payment plan. Once the signed payment plan agreement and credit/debit card authorization forms are received, the payment plan will be set up with automatic monthly charges until paid in full.

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Daughtry & Farine, P.C. is a debt collector. We are trying to collect a debt that you owe to the above-named Association. We will use any information you give us to help collect the debt.

Our Information Shows:

Please see the enclosed itemized Statement of Account for information on the amount of the debt.

How can you dispute the debt?

- Call or write to us within 30 days after your receipt of this letter to dispute all or part of the debt. If you do not, we will assume that our information is correct.
- If you write to us within 30 days after your receipt of this letter, we must stop collection on any amount you dispute until we send you information that shows you owe the debt. You may use the form below or write to us without the form. You may also include supporting documents. We accept disputes electronically via email at info@daughtryfarine.com.

What else can you do?

- Write to ask for the name and address of the original creditor, if different from the current creditor. If you write within 30 days of your receipt of this letter, we must stop collection until we send you that information. You may use the form below or write to us without the form. We accept such requests electronically via email at info@daughtryfarine.com.
- Go to www.cfpb.gov/debt-collection to learn more about your rights under federal law. For instance, you have the right to stop or limit how we contact you.
- Contact us about your payment options.
- Póngase en contacto con nosotros para solicitar una copia de este formulario en español.



Mail this form to:

Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058

Hicks
Southshore Harbour C.A.
2106 Cherry Hills Ln.
2519.0020

How do you want to respond?

Check all that apply:

- I want to dispute the debt because I think:
 - This is not my debt.
 - The amount is wrong.
 - Other (Please describe on reverse or attach additional information).
- I want you to send me the name and address of the original creditor.
- I enclosed this amount: \$ _____.
Partial payments will not be accepted without signed installment agreement.
- Quiero este formulario en español.