

Deeds Primer

The Role of the Deeds Committee

The purpose of the Deeds committee is to assist the DVCA Board in monitoring compliance with the deed restrictions, architectural requirements and Protective Covenants for the purpose of maintaining the quality of our neighborhood. This is accomplished through two major activities:

1. **Review and Control**
2. **Enforcement**

The primary motivator that the Deeds committee counts on is our residents' desire to have an attractive home and to be a respectful and responsive neighbor. We rely on your pride of ownership and care for our neighborhood. The Deeds committee activities are designed to help you do that.

Review and Control: The Deeds Committee is tasked to provide the following:

1. **To evaluate and respond to deeds violations** (things that do not meet the standards set in the Protective Covenants). These are identified by either a resident complaint (your neighbors) or through our normal scheduled monitoring which focuses on maintaining the curb appeal and structural integrity of the homes in Deerfield.

More details on what Deeds looks at is covered in the "Deed Restriction Quick Reference" and "Things to do to keep the dreaded Deeds letter at bay!" sections that follow.

Deeds responds to violations in several ways, depending on the situation, including by phone, email, regular mail, registered mail and in person when warranted. Deeds starts out in a friendly manner and moves to more formal and legal ways if necessary. This is described in the section below.

2. **To evaluate any external maintenance, changes or enhancements to your property.** This is done via the Architectural Approval (AA) form and process.

If you are planning changes or improvements (including painting) to your house, **submit an Architectural Approval (AA) form and obtain approval**

before you start the work. AA forms are available at the office or on-line. For most items, this is a pretty simple process and the approval should come quickly. For other more complex items, it may require a review by the committee.

Enforcement: The primary enforcement tool used is letters and in most cases they work. Deeds has a series of letters that may be sent, depending on the situation.

1. The first and most effective letter is the “friendly reminder” letter. This makes the homeowner aware of something that has been identified (by a resident or during monitoring) that needs to be resolved. It’s not unusual that the homeowner wasn’t aware of it and for them to be appreciative of it being brought to their attention. Please don’t view these letters as an attack but as a way to inform you of an issue that has been observed.

The initial letter works very well in most situations, but sometimes it doesn’t and then additional letters are sent. Often a second reminder letter is the next letter sent and that resolves the situation. But when it doesn’t, the Deeds letters become more formal and the consequences of non-response increase.

2. A “10 Day Demand” letter” is used for some situations, mostly yards and lawns. It states that if the violation is not resolved within 10 days, DVCA has the right and will hire a service to do the work for you and charge you for all the fees associated with getting the work done. These services are much more expensive than if the homeowner handled the situation by themselves.

3. Next is a “pre-Attorney” letter which gives the homeowner a warning that things are becoming more serious, asks for resolution to be communicated to the office within 10 days, and gives a warning that if not resolved the violation will be referred to the DVCA Attorney. It also explains that any fees or charges associated with the violation will be billed to the homeowners’ account and that they will be invoiced. An estimate of the charges and the consequences of nonpayment are also included.

4. If the “pre-Attorney” letter is ignored, the matter will be referred to the DVCA Attorney, and all costs and fees associated with any actions needed will be charged to the homeowner. At this point things have moved to a legal matter and, depending on the response of the homeowner, will escalate with additional

actions that will require increasingly more attorney time and services to complete, with the associated fees charged to the homeowner.

The longer a situation goes on, the more serious it becomes and can possibly end up with litigation in court. Also, if the bills incurred are not paid in a timely fashion, the resident will lose many of their DVCA related privileges and a lien may be placed on their house impacting their credit rating and more. This is not a desirable situation for anyone, and no one on Deeds or the DVCA Board wants to go down this path.

Things to do to keep the dreaded Deeds letter at bay!

1. If you are planning changes or improvements to your house (including painting), **submit an Architectural Approval form submitted and obtain approval before you start the work.**
2. Get your yards mowed, weeds pulled or trimmed, bushes and shrubs trimmed, and in general get and keep the yard spruced up and neat. This includes weeding the expansion joints and cracks on your driveway and sidewalks and maintaining the area in front of your curb.
3. Remove any mulch or other bags that are in view from the street.
4. Clean any mold and mildew on the exterior of the house or in other visible places.
5. Repair, repaint or replace any siding, shutters or trim on your home that that has rotted or where the paint is in poor condition.
6. Make sure your gutters are hanging well and not filled up with dirt and growing weeds.
7. In general, take a long look at your house and landscape and if you see something that doesn't look good, take care of it. Everyone will appreciate your efforts to keep Deerfield beautiful!
8. Do not put your trash or lawn service bags out on the curb until Monday or Thursday evening. And if you use trash cans and/or recycling bins, put them away and out of sight by Wednesday or Saturday morning.
9. No boats, trailers, campers, inoperative vehicles, etc. may be parked permanently or semi-permanently on the street or driveway'
10. Cars or vehicles are not allowed to be in the yard or on the grass next to your driveway. If you have this situation submit an AA to extend your driveway.
11. Keep your pets supervised and controlled.
12. This is not an all extensive list, but covers many of the common issues that Deeds deal with.

Deerfield Village Deed Restriction Quick Reference – Updated September 2018

Deerfield Village has seven (7) sections plus three (3) Patio Homes sections. Each has deed restrictions and protective covenants applicable to that specific section. This list summarizes the main restrictions, covenants and policies applicable to all properties. Because these may vary somewhat between sections, and because this list is not all inclusive, residents should have a copy of the deed restrictions for their own section. Residents should be familiar with and abide by the restrictions, covenants, and policies for the benefit of the community – at large.

1. **All exterior changes, improvements, and additions to your property MUST be PRE-APPROVED** by the Deeds Committee which serves as Architectural Control. This includes (but is not limited to) new roofs, pool installation, house additions, sheds, patios, porch additions, garage doors, flag poles, windows, fences, antennas, and painting.
2. All structures, other than the main residence and garage, are **limited to eight (8) feet in height**.
3. **All lots, fences, and exterior of structures shall be maintained at all times in a sanitary, healthful, safe and attractive condition with grass cut/edged, weeds removed from beds and expansion joints, and all mildew removed.** Lawn and recreational equipment must be kept out of view when not in use.
4. **Garbage cans, bags and recycle bins must be kept out of view and moved to the curb no earlier than the night before collection day**, and stored out of view by the next morning. Residents are not allowed to accumulate or burn garbage.
5. **No boats, trailers, campers, vehicles, etc. may be parked on the driveway or street for over 72 hours. Dumpsters and/or PODS must be PRE-APPROVED by Deeds Committee.**
6. **Only two types of signs are permitted:** (1) one For Sale or Rent; (2) one standard political sign per candidate or ballot item (90 days before and 10 days after election.)
7. **No business is permitted**, for profit or not, that creates traffic, activity or noise at a residence. **Renting only a portion** of any property (e.g., Garage apt.) is NOT permitted.
8. **Garage Sales** are limited to **the DVCA community garage sales held twice per year.** ([LINK to dates/forms](#))
9. **Estate Sales must be pre-approved by the DVCA Board.** ([LINK to approval form](#))
10. **Fencing must be wood or wrought iron.** No wire or chain link is allowed. Maximum height for side and/or rear fencing is 80 inches (6 ft. picket + 6” rot board + 2” end cap.) Exterior of fencing facing common areas should be of natural color with finished side facing common area. **Properties with perimeter fencing** facing Barker Cypress, Keith Harrow, Windsong Trail or Clay Road must comply with perimeter fencing guidelines. ([LINK to guidelines](#))
11. **No noxious or offensive activity of any sort** shall be permitted.
12. **ALL PETS MUST BE LEASHED OR RESTRAINED WITHIN ADEQUATE ENCLOSURE.** No animals except dogs or cats or other common household pets are permitted, and those may not be kept for commercial purposes or in unreasonable numbers. No animals may be kept which result in an annoyance or which are obnoxious to residents in the vicinity.
13. Seasonal yard decorations or displays must be removed in a timely manner.
14. **Driveway or sidewalk** changes must be pre-approved by the Deeds Committee and follow the DVCA policy. ([Link](#))
15. **Standard sized antennas and satellite dishes** must be attached to rear of home or otherwise hidden from view.

16. **Solar Panels** must be pre-approved by the Deeds Committee and follow the DVCA policy. ([Link to policy](#))
17. **Flags** limited to one 3'x5' **US, TX, US Military, and school** flag per property with prior Deeds Committee approval. 1 per pole attached to structure – 2 pole max. 2 per free-standing pole 15'-20' in height – 2 pole max. ([Link to policy](#))
18. Houses may not exceed two stories; garages for no more than three cars.
19. No temporary structures may be used as a residence. In Patio Homes, no temporary structures are permitted at all.
20. No structure may be placed on utility easements. ([Link to Disclaimer](#))

Link to full deed restrictions, covenants and policies:

<http://deerfieldvillageonline.com/dvca-documents/>