

ARCHITECTURAL REVIEW AUTHORITY AND APPEALS POLICY

University Green Town Home Owner's Association, Inc. ("Association") has adopted this Architectural Review Authority and Appeals Policy ("Policy") to provide guidance for issues surrounding the architectural review committee. This Policy is effective upon recording in the Real Property Records of Harris County, Texas.

Committee Members

Notwithstanding any current members that are serving out their terms as board members, the Architectural Review Authority ("ARA") shall consist of not more than three committee members that shall be appointed by the Board of Directors of University Green Town Home Owner's Association, Inc. At any time the committee consists of less than three members, for any reason, any decision of the current members shall not be considered void or invalid.

Qualifications: committee members may not be a current board, a current board members spouse or a person residing in a current board members household and must be in compliance with the Association's governing documents.

The Association may solicit applications for persons interested in being appointed to the ARA committee. All members of the ARA committee shall be held to the same standard of care and liability as a member of the board of directors in enforcing and following the Association's governing documents while acting in their capacity as a committee member.

Denial of Application

A decision by the ARA denying a properly submitted application by an owner for the construction, modification or replacement of an improvement in the subdivision may be appealed to the board of directors.

Written notice of a denial must be provided to the owner by certified mail, hand delivery or electronic mail. The notice must: (1) describe the basis for the denial in reasonable detail, (2) include changes to the application required as a condition to approval, if applicable, (3) inform the owner that the owner may request a hearing on or before the 30th day after the date the notice was sent to the owner, (4) describe the method of submitting a request for a hearing.

A request for hearing must be sent in writing to the management company for the Association clearly stating that a hearing is being requested.

Hearing

The board of directors shall hold a hearing under this policy not later than the 30th day after the date the board of directors receives the request.

The board of directors shall notify the owner of the date, time, and place of hearing not later than the 10th day before the date of the hearing. Prior to the commencement of the hearing the board of directors and the owner may request a postponement of the hearing. A postponement shall be

granted for a period of not more than 10 days. An owner is only allowed one hearing under this policy per requested improvement.

During the hearing, the board and owner (or any designated representative thereof) will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owners application for the construction or placement of an improvement, and the changes, if any, requested by the ARA in the notice provided to the owner. Any party to the hearing may make any audio recording of the hearing.

Board of Directors

The Board of Directors may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority committee as consistent with the subdivision's governing documents. The Board of Directors may appoint a board liaison to oversee the ARA and ensure compliance with the Association's governing documents.

Nothing provided for herein shall prohibit the ARA from seeking guidance and confirmation from the Board of Directors regarding any application submitted nor shall it prohibit the Board of Directors from providing further direction and guidance on the process of approving or denying applications.

No policy can apply to every circumstance, and no policy can anticipate every circumstance. Accordingly, to the extent allowed by law, the foregoing Policy is subject to change, and may be changed, set aside, contradicted or not followed, in appropriate circumstances as the Board of Directors deems reasonable and appropriate after due consideration. The Policy does not create any rights in or to any person, and does not create any obligations of any person. This Policy is intended to be for purposes of guidance and to create a general operating procedure for the Board of Directors, management company and Association attorney to follow. A failure to follow this policy shall not create a right in or to any person nor is any deviation or failure to follow actionable in any way or create a defense to any obligation of a homeowner to satisfy his/her financial obligations to the Association. Any failure or decision not to enforce any of the foregoing on any given matter or in any given situation shall not constitute a waiver of any right to enforce the foregoing in any other matter or in any other situation, whether against the same owner or any other owner. The Board of Directors shall have the right to waive compliance with this policy as it deems appropriate.

Board of Director's Certificate

I hereby certify that the foregoing Architectural Review Authority and Appeals Policy was adopted by the Board of Directors of University Green Town Home Owner's Association, Inc. at a meeting duly called on this 21st day of October, 2021.

Director


Jason Bellis - President