

**FONN VILLAS CIVIC ASSOCIATION, INC.  
POLICY REGARDING SERVICE ON THE ARCHITECTURAL CONTROL COMMITTEE**

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS, the FONN VILLAS CIVIC ASSOCIATION, INC. (“Association”) is charged with administering and enforcing those certain covenants, conditions and restrictions contained in the recorded Declarations for the various sections of the community (referred to collectively as “Declarations”); and

WHEREAS, Section 209.00505 of the Texas Property Code was added by the 87<sup>th</sup> Texas Legislature dealing with service on a property owners’ association’s architectural review authority; and

WHEREAS, the Board of Directors of the Association (“Board”) desires to establish the procedures by which members shall be appointed to and serve on the Association’s Architectural Control Committee;

NOW, THEREFORE, the Board has duly adopted the following *Policy Regarding Service on the Architectural Control Committee*:

**SERVICE ON THE ARCHITECTURAL CONTROL COMMITTEE**

Pursuant to Section 209.00505 of the Texas Property Code, a person may not be appointed or elected to serve on the ACC if the person is also; 1) a current board member, 2) a spouse of a current board member, or 3) a person residing in a current board member’s household.

Only to the extent Section 209.00505 of the Texas Property Code contradicts and supersedes the Association’s Declaration, the following provisions shall govern the appointment and service of members on the Association’s ACC and ASC:

1. No Association Board Member, spouse of a current Board Member, or person resident with a current Board Member may be appointed to serve on the Architectural Control Committee (“ACC”) or Architectural Standards Committee (“ASC”);
2. The Association’s Board of Directors shall appoint members to serve on the ACC;
3. The Association’s ACC shall appoint members to serve on the ASC;
4. Annual education for ACC Members is required;
5. Members of the ACC and ASC may be removed by the Association’s Board of Directors at any time, and without cause;
6. Members on the ACC shall have a term of three (3) years;
7. The ACC shall be comprised of a minimum of five (5), and a maximum of seven (7), persons, each of whom must be an Owner;
8. Quorum of the ACC shall be four (4) ACC Members;
9. The ASC shall be comprised of two (2) persons, each of whom must be an ACC member;

10. One Board Member may be appointed by the Association's Board of Directors to serve as a Board Liaison to the ACC and ASC, but shall not be a member of either committee and shall not vote on the approval/denial of any ACC or ASC applications;
11. Decisions made by ACC or ASC:
  - a. Approvals or Denials shall require a majority vote of the ACC;
  - b. Upon any decision by the ACC or ASC of an application, the ACC/ASC Board Liaison shall notify the Association's Board of Directors of the ACC's decision;
12. Denial of an ACC/ASC application:
  - a. A written notice of the denial must be provided to the Owner via certified mail, hand-delivery, or via electronic delivery (e-mail);
  - b. The denial letter must state with reasonable detail the basis for the denial and include proposed changes, if any, which would be required as a condition of approval.
  - c. The denial letter must inform the Owner that they may appeal the ACC's/ASC's decision to the Association's Board of Directors if they request a hearing on or before the 30<sup>th</sup> day after the date the denial notice was mailed;
13. Denial and Appeal Hearings:
  - a. Upon an Owner's timely request for a hearing, the Board shall hold a hearing no later than the 30<sup>th</sup> day after receipt of the Owner's request
  - b. The Owner shall be notified of the date, time and place of the hearing not later than the 10<sup>th</sup> day before the hearing is to take place;
  - c. The Board of Directors may affirm, modify or reverse any decision made by the ACC/ASC to the extent the decision is consistent with provisions of the Association's Declaration.

This policy is effective upon recordation in the Public Records of Harris County, and supersedes any conflicting provisions which may have previously been in effect. Except as affected by Section 209.00505 and/or by this policy, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**FONN VILLAS CIVIC ASSOCIATION, INC.**

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_