

# ARBOR VILLAGE HOMEOWNERS ASSOCIATION

## Administrative Resolution Number 4 Administrative Rules of the Architectural Control Committee

**WHEREAS** Section VII of the By-laws grants the Board of Directors with the power to conduct Association business, to adopt and publish rules and regulations governing the personal conduct of the Members, to establish fines and penalties for the violations thereof, and, to protect community harmony by providing guidelines and a procedure to address conditions that disrupt that harmony,

**LET IT BE RESOLVED THAT** the following Administrative Rules and Procedures will be followed by the Board of Directors and the Architectural Control Committee:

### **MEMBERS**

- A. Committee shall be five members appointed by the Board of Directors. Members must be residents of ARBOR VILLAGE and also meeting the all requirement of voting association members. No resident shall be allowed on the Committee if they have outstanding AVHA dues, have unpaid fines or outstanding AVHA violations, or are under a property lien by AVHA.
- B. A Committee member is subject to removal by the Board for any reason.
- C. Each member shall serve a two-year term beginning on January 1. A member shall not serve more than two consecutive terms. The terms shall be staggered, if a seat is vacated, the Board will appoint a replacement to serve the remainder of the term. If the replacement takes place before ½ of the original term, then the replacement shall be considered to have served a full term.
- D. The Committee can remove a member if all 4 opposing seats vote in favor of the removal. The Board of Directors shall appoint a replacement pursuant to the above paragraph.
- E. A Chairperson shall be appointed by the committee and shall serve for one year. The Chairperson makes all reports to the AVHA President.

### **MEETINGS**

- A. All residents have a right to receive a committee decision regarding architectural requests within 10 days of a request for approval. The Committee shall meet once every two weeks, and earlier if a resident requires a decision inside of the 10-day window and the bi-weekly meeting is not adequate to meet the request. The Committee shall not be obligated to meet if there is no requests or pending business.
- B. An AVHA Board member may be present at ACC meetings, but will not be a voting member.

- C. The meetings are closed to the public and the meeting times and locations are not announced. All discussions are confidential and *Committee Members are to keep the discussions confidential indefinitely*. However, the Committee can invite a resident with a request to discuss that resident's proposal if the Committee needs more information.

## PROCEDURES

- A. All submissions shall be reviewed by the committee and passes, denied, or unproved under conditional circumstances. A log of all final decisions shall be kept. The log must record every decision at each meeting.
- B. The Chairperson shall pass along the decisions to the AVHA President and / or its manager. A letter shall be sent, by the Board, to the resident making the request outlining the Committees decision.
- C. The Committee shall **NOT** interpret city, county, or state ordinance. Local government authorities, prior to construction or alteration, **must** approve all resident requests.
- D. The Committee is allowed to make interpretations of the Architectural Standards. When a decision has been reached, that interpretation shall be noted in the Official ACC Record, and that interpretation shall be used as a firm guideline in the future for matters of the same concern. A majority vote of the Committee shall be required to alter the original interpretation. If such vote should take place, the new interpretation shall be recorded with notes regarding the discussion to alter the interpretation and a list of the votes. It is the intent of the Board to limit subjective interpretation of the architectural standards.
- E. When the Committee is unsure about a request or rule, it shall forward the question to the Board of Directors. The Board shall retain the right, by majority vote, to overturn a decision made by the ACC. Under such circumstances, the Board is obligated to note the decision in the Official ACC record and explain the reasoning behind such decision.
- F. The Committee shall be vigilant at all times in observing resident offenders and promptly report them to the Board of Directors. The AVHA Board shall handle violation notification and enforcement procedures at all times. The Committee is not obligated to and is encourages not to discuss violations or enforcement with residents.
- G. The Committee shall review the corrective actions taken by residents with violations and approve the final alteration. Consideration shall be given by ACC to substantial efforts and expense made by the resident so as to be understanding if a complete repair may be beyond the financial capability of the resident. If so, the remaining necessary alteration shall become a record attached to the property deed and at sale, the remaining violation shall be reported to the potential purchaser of the property. The Committee reserves the right to move forward with the requirement, at any time, that the resident complete the repair immediately.
- H. The Committee shall keep a calendar of resident commitments. Once an approval is issued, the committee shall follow-up on the proposed completion date, or every thirty days until the

project is complete, and that the project is completed to specifications. The on-site visit may be delegated to the Board or its manager.

Recorded in the Book of Minutes: \_\_\_\_\_, 2001

Signed: \_\_\_\_\_, 2001

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President - Board of Directors