

SORANO (FRISCO) HOMEOWNERS' ASSOCIATION, INC. ARCHITECTURAL REVIEW AUTHORITY POLICY & CHARTER

Section 209.00505 of the Texas Property Code requires an association with more than 40 lots to establish an Architectural Review Authority (ARA) that is independent of the Board of Directors.

Definitions

“ACC”, “ARA”, “ARB”, “Architectural Control Committee”, “Architectural Review Board” means the Architectural Review Authority established under the Texas Property Code.

“Association” or “Sorano” means the Sorano (Frisco) Homeowners’ Association, Inc. located in Collin County in the State of Texas.

“Community Standards” means any guidelines or standards required by City of Frisco ordinances, or permitted within the governing documents and any additional standards or guidelines that are on record (e.g. Design Standards).

“Eligible person” or “eligible homeowner” means a person who **is not** (i) a current board member, (ii) a current board member’s spouse, or (iii) a resident in a current board member’s home.

“Governing documents” means the Sorano (Frisco) Homeowners’ Association, Inc. Declaration of Covenants and Restrictions and/or Bylaws.

“Management Company” or “Property Management Company” means the company or business that is contracted by the Board of the Association to manage the operations of the Association on behalf of the Board.

“Written notice” means notice provided in writing and delivered by certified mail, hand delivery or electronic delivery.

Purpose

1. This purpose of the ARA is to consider and act on all requests from a homeowner that seeks to modify the architectural features of a property located within Sorano.
2. This charter and policy define the ARA and its operations pursuant to the Texas Property Code, City of Frisco Ordinances, the Association’s governing documents and / or the Association’s community standards.

Establishment of Architecture Review Authority

1. The Architectural Review Authority (ARA) shall be comprised of up to three (3) eligible homeowners appointed by the Board of Directors.
2. Each member of the ARA shall be appointed for two (2) years effective September 1st in each odd-numbered year. Members may be reappointed for additional terms.
3. A vacancy on the ARA may be filled by the board for any unexpired term.

ARA Operations

1. The ARA shall call a meeting within twenty-one (21) days of receiving a request from a homeowner.
2. A homeowner must submit any request to be consider by the ARA on the approved form, or in the approved format.
3. The ARA will review and consider each request independently from any other request before the ARA and shall approve or deny that request based on the community standards in place at the time of the request. Members of the ARA may not consult with members of the Board of Directors individually, however may seek guidance and / or advice from the Board as a collective on an issue.
4. The ARA may approve a request with stipulations or contingencies. Any stipulations or contingencies will be provided to the homeowner at the time the notice is sent. If a homeowner does not agree with or comply with these stipulations or contingencies within thirty (30) days, the approval will be revoked, and a denial will be issued.
5. The ARA or the Management Company (on behalf of the ARA) may inspect any approved requests to ensure compliance with the approval once completion occurs.
6. A decision of the ARA shall be communicated to the homeowner by the Management Company within five (5) business days of the decision by written notice.
7. Any approval that has been given by the ARA will expire after six (6) months of the decision unless an extension is requested and approved by the homeowner.
8. A decision by the ARA to deny a request must be provided by written notice and include the basis of the denial in reasonable detail and changes, if any, to the request that could provide future approval.
9. A homeowner may appeal a decision to deny a request by the ARA to the Board of Directors within thirty (30) days of receiving the denial notice.

ARA Reporting

1. The ARA, or the Management Company (on behalf of the ARA) shall provide a written report to each board meeting outlining the number of requests that have been received and the current status of those requests.
2. The ARA shall notify the Board of Directors – by email – of any denials made within five (5) days of the decision.
3. Each member of the Board of Directors shall have access to the platform or system where requests are submitted and recorded.

ARA Appeals, Hearings

1. A homeowner may request by written notice a hearing before the Board of Directors within thirty (30) days of receiving notice of a denial. The notice must be sent to the Board of Directors.
2. The Board of Directors shall schedule a hearing at their next regular meeting if that date allows for the homeowner to receive notice of that meeting of at least ten (10) days and no more than thirty (30) days from receipt of the written notice requesting a hearing. A special meeting for the purpose of holding a hearing shall be called otherwise that provides at least ten (10) days and no more than thirty (30) days' notice to the homeowner requesting the hearing.
3. The Board of Directors will provide written notice to all homeowners of any special meetings as outlined in the statute and governing documents.
4. Either the Board of Directors or the homeowner may request a postponement for the hearing not to exceed ten (10) days. Additional postponements may be agreed between the parties.
5. Each hearing will be held in executive session with only the parties and their representatives in attendance. The decision of the board will be voted on and declared in open session following the executive session.
6. The Board of Directors may affirm, modify or reverse the decision of the ARA, in whole or in part. (Note: this only applies to denials.)

CERTIFICATION

“I, the undersigned, being a Director of the Sorano (Frisco) Homeowner’s Association, Inc., hereby certify that the foregoing was adopted by at least a majority of the Sorano (Frisco) Homeowner’s Association, Inc. board of directors, at an open and properly noticed meeting of the board held on November 16, 2021, at which a quorum of the board was present.”

By: _____
Print name: James Nunn
Position: Secretary

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day, personally appeared the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same as the act of the Association for the purpose and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 2021.

Notary Public, State of Texas

After Recording Return to:
Principal Management Group of North Texas
12700 Park Central Drive Ste 600
Dallas, Texas 75251