

Communications from  
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**Question:** What is the autonomy of the committees, specifically the Architectural Review Committee?

**Answered on 2/17/2021:** “You recently asked me about the autonomy of the ARC. You said that the ARC does not seem to believe that the HOA Board has oversight of the ARC. As explained below, the Board has oversight over all HOA committees including the ARC.

Under Article V of the HOA Bylaws, committees (such as ARC) are designated and authorized by the Board and operate in accordance with the resolution of the Board who designates the committee members. Under Article III of the Bylaws, the HOA Board is responsible for **all** of the affairs of the HOA and has all of the powers and duties necessary for the administration of the HOA's affairs including designating the personal necessary for the operation of the Association. In fact, Article VI, Section 3 of the Covenants specifically states that the HOA Board will appoint members of the ARC unless the Declarant (the developer) still owns property in the subdivision or can annex additional property. From our review the public records, it appears that the developer sold its last lot in 1998 and dissolved in 2005. Based on our review of the documentation, the HOA's authority over the ARC is unambiguous.

As you know, a homeowner is required to submit proposals for construction and modifications to the ARC for approval. Per the Covenants, the ARC is the sole arbiter of plans and may withhold approval for any reason. Having said that, the ARC members serve at the will of the Board as explained above.

**Question:** Does the Board have authority to remove a member(s) of a committee, at our discretion, with the majority vote of the Board?

**Answered on 2/17/2021:** Yes, you can.