

6000 PENN CONDOMINIUMS HOA
ARCHITECTURAL CONTROL COMMITTEE
SUBMISSION PROCEDURE AND VIOLATIONS POLICY

When purchasing a condominium at this community, the owner has relinquished his/her rights to individualize the exterior elements of the building and grounds.

THE PURPOSE OF THE ARCHITECTURAL CONTROL COMMITTEE

The purpose of the Architectural Control Committee (ACC) and these policies is three-fold:

1. To assure that any modifications to the townhomes, structures and grounds in the community are in conformity with all applicable Association, Board and ACC rules, policies and guidelines;
2. To assure homeowners seeking to make modifications that proposed modifications will be in conformity with those same rules, policies and guidelines; and
3. To protect homeowners who make modifications, the expense of having to bring nonconforming modifications into conformity.

WHEN TO SUBMIT AN ARCHITECTURAL REQUEST FORM

An Architectural Request Form must be submitted prior to any modifications. Property modifications include, but are not limited to:

1. Deck or patio installation or modification
2. Satellite dish or other antenna installation
3. Any permanent fixture attached to the home (e.g., patio covers, exterior light fixtures, motion sensors for lights, window boxes, security cameras, etc.)
4. Replacement of windows and/or doors
5. Exterior paint color change (e.g., door, window trim, balcony, etc.)
6. Landscaping alterations (e.g., removal or planting of shrubbery or trees, extending or modifying mulch beds, installing borders around beds, installing landscape lighting, etc.)
7. Interior re-modeling that changes walls, plumbing, or other common or limited-common elements as defined in the declarations. The electrical from the individual unit's meter is the sole responsibility of the unit owner.
8. HVAC replacement that changes the condensate drain line, location of the evaporative unit, or location of the condensing unit.

Note: It is the homeowner's responsibility to assure that he or she has an approved ACC Request prior to beginning any modifications. If the homeowner is in doubt as to whether or not a request is required, that homeowner is strongly urged to submit one to assure that his or her intended modifications are in conformity.

HOW TO SUBMIT AN ARCHITECTURAL REQUEST FORM

1. Request a copy of the form from the Management Company, or request a copy from the Board of Directors, ACC.
2. Complete the form, including any appropriate drawings, sketches, specifications, etc.
3. Submit the form to the Management Company via US Mail or e-mail.
4. Upon submission, the Management Company will review and forward to the ACC for their review and response within thirty (30) days.
5. The applicant will be notified of approval or disapproval via e-mail or US Mail (based upon notification preference).
6. In the event that an applicant has not received an approval or disapproval notification within thirty (30) days of submission, that request shall be deemed denied, until and

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unless subsequent written approval is received.

7. Contact the Management Company for status of request if notification has not been received.

UNDER NO CIRCUMSTANCES MAY WORK COMMENCE WITHOUT WRITTEN APPROVAL FROM THE ARCHITECTURAL CONTROL COMMITTEE. FAILURE TO SUBMIT AN ARCHITECTURAL FORM WILL RESULT IN A FINE.

Note: ACC approval of a proposed modification does not alleviate the requirement to obtain building permits or other approvals from the City of Oklahoma City or other agencies. It is the responsibility of the homeowner making modifications to ensure all required permits and approvals have been obtained.

COSTS AND EXPENSES

Installation Costs and Expenses – All costs associated with any property modifications made or caused to be made by a homeowner whether completed with or without an ACC approval, is solely the responsibility of the homeowner. This includes costs to repair damage to common property (limited common areas) or grounds caused by the homeowner, contractor, or any other person in conjunction with making the modification, and the costs to remove or bring into conformance any non-conforming modifications.

On-going Maintenance Costs and Expenses – The costs for the on-going or annual maintenance of any property modification made or caused to be made by a homeowner, whether completed with or without ACC approval, is solely the responsibility of that homeowner. Where certain services are provided by an Association contractor (such as pruning or mulching by a landscaper), the homeowner may be billed for that portion of the contractor's fees related to maintaining the modification.

VIOLATIONS AND REMEDIES

Violations of this policy include, but are not necessarily limited to:

1. Residents who fail to submit an ACC request form prior to modifying or causing to be modified any home or grounds in the community;
2. Residents who submit an ACC request form but commence work before receiving written approval; and
3. Residents who receive written approval but deviate from the approved request.

The remedies for violations under this policy include but are not necessarily limited to, the following:

1. If the work performed is or may reasonably appear to be consistent with modifications permissible by the Association and/or governing documents, then, where no ACC request form has been submitted or where the work performed deviated from the written approval, the homeowner will be required to submit an ACC request form within thirty (30) days for work already completed.
 - a. If, upon ACC review of the request, the modification is approved, then no further action will be taken by the Association.
 - b. If, upon ACC review of the request form, the modification is disapproved.
2. The homeowner will be required to remove the modification and restore the property to pre-modification condition, at the homeowner's expense, within sixty (60) days of notification.
3. If the homeowner fails to remove the modification and restore the property within sixty (60) days, a letter from the Management Company at the direction of the Board providing notice of the date,

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time and place of a hearing before the Board of Directors to consider the incident, and to determine whether or not services rendered by the association to the party (or parties) should be suspended, and/or a fine up to \$100.00/day should be implemented.

4. In addition, the Board may engage a contractor to remove the modification and restore the property, at any time and without additional notice, and assess the homeowner the actual amount billed by the contractor to do so.
 - a. If the work performed is plainly inconsistent with modifications permissible by the ACC and/or the governing documents, such that an ACC form for that work would clearly be denied, then:
 - i. The homeowner will be required to remove the modification and restore the property to pre-modification condition, at the homeowner's expense, within sixty (60) days of notification.
 - b. If the homeowner fails to remove the modification and restore the property to its original state within sixty (60) days a letter will be sent from the Management Company at the direction of the Board providing notice of the date, time and place of a hearing before the Board of Directors to consider the incident, and to determine whether or not services rendered by the association to the party (or parties) should be suspended, and/or a fine up to \$100.00/day should be implemented.
5. Attorneys' Fees in Enforcement Actions before the Court is permitted to allow reasonable attorneys' fees to the prevailing party in any action to enforce the articles of incorporation, by-laws, declaration or policies and procedures of the association.
6. Attorneys' fees will be sought by the association in all enforcement actions.

Approved by the Board of Directors: August 18, 2021

Signed: _____
6000 HOA President