

# **HAMPTON FOREST HOMEOWNERS ASSOCIATION**

## **RESOLUTION 2023 - 01**

### **CHARTER FOR ARCHITECTURAL REVIEW BOARD**

**WHEREAS**, Article VIII, Section 1(c) of the Bylaws for Hampton Forest Homeowners Association ("Association") authorizes the Board of Directors ("Board") to exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the governing documents;

**WHEREAS**, Article IX of the Bylaws provides that the Association shall appoint an Architectural Review Board as provided in the Declaration;

**WHEREAS**, Article VII of the Declaration establishes certain requirements concerning the composition, selection, removal, and duties of the Architectural Review Board;

**WHEREAS**, the Board deems it desirable to formally establish this Charter for the Architectural Review Board for the Association.

**NOW, THEREFORE, BE IT RESOLVED** that an Architectural Review Board ("ARB") shall be established, and that the following procedures for the ARB be adopted and implemented herewith:

#### **I. RESPONSIBILITY**

The primary responsibility of the ARB is to advise and assist the Board in enforcing the covenants and architectural standards for lots and dwellings in Hampton Forest and to render decisions on applications for lot and dwelling modifications, improvements and alterations. In fulfilling its responsibility, the ARB shall be delegated the responsibility for performing certain duties, which include, but are not necessarily limited to, the following:

A. Regulate the external design and appearance of lots and dwellings thereon throughout Hampton Forest.

B. Incomplete applications may be rejected outright by the ARB (or by the property manager on the ARB's behalf) and returned to the homeowner without further consideration {{application}}

C. Render decisions on all written and complete applications of lot owners for improvements, modifications or additions to lots within forty-five (45) calendar days. All applications not acted upon within forty-five (45) calendar are deemed approved.

D. Notify lot owners in writing of the final decision regarding their application within a reasonable period of time after the ARB rendered its decision.



E. Periodically, at the discretion of the ARB, inspect the lots for compliance with established covenants and approved architectural standards.

F. Establish and modify architectural standards, subject to final approval of the Board.

G. Establish guidelines for lot owners to submit requests for modifications, improvements and alterations to their lots and dwellings.

H. Provide interpretations of the governing documents when requested to do so by a lot owner or the Board. The ARB may publish and record such interpretations in order to establish precedents for application of the governing documents or other matters relative to architectural control and protection.

I. Act as a liaison and information resource to lot owners and residents on architectural issues.

J. Ensure that copies of all current policies, procedures and guidelines are maintained.

K. Other duties as assigned by the Board from time to time.

L. Notwithstanding the authority in the governing documents, the Board has the power to determine the scope of responsibility of the ARB, and this Charter is not intended to create any restrictions or limitations on the power of the Board to determine the jurisdiction of the ARB.

M. Notwithstanding the foregoing, the Board reserves the right to direct the ARB to discontinue any action as the Board, in its sole discretion, may determine. Moreover, the ARB is prohibited from taking any actions not delegated to it by this Section I or by a vote of the Board.

## **II. NUMBER OF MEMBERS, LENGTH OF TERM & ELIGIBILITY**

A. The ARB shall consist of five (5) members who shall serve staggered three (3) year terms, as determined by the Board.

B. Members appointed to fill vacancies that occur shall serve out the remainder of the term of the member they are replacing. In the absence of any action by the Board to appoint a successor, terms shall automatically renew.

C. All ARB members must be lot owners (or spouses of lot owners) in good standing. Good standing shall be defined as the absence of any liens, privilege suspension, assessment delinquency, architectural or covenants violation, or pending legal action with the Association.



### **III. APPOINTMENT, REMOVAL & VACANCIES**

A. The members of the ARB shall be appointed by a majority vote of the Board. The Board may make additional appointments, via a majority vote, if vacancies occur.

B. Recruitment of candidates may be done by any other means deemed appropriate by the Board.

C. Candidates interested in serving on the ARB must submit a written request for appointment to the Management Agent. Existing ARB members in good standing are eligible for reappointment without submitting such a written request.

D. Once the Management Agent determines that a candidate is eligible to be appointed, a copy of the written request shall be provided to the Board.

E. Newly appointed ARB members will be provided a copy of this Charter within a reasonable period of time following their appointment.

F. The Board shall have the power to remove any ARB member, including the Chairperson, with or without cause, upon three (3) calendar day's written notice.

G. The ARB may make recommendations to the Board regarding the removal of ARB members upon a majority vote of the ARB.

### **IV. ELECTION OF OFFICERS**

A. Officers of the ARB shall include a Chairperson, a Vice-Chairperson, and a Secretary; the two remaining members shall be members-at-large. Officers of the ARB shall be appointed by the ARB members themselves.

B. The Chairperson, or his or her designee, shall be responsible for chairing meetings of the ARB and acting as a liaison between the Board and the ARB. The Vice-Chairperson shall perform the duties of the Chairperson in their absence. The Secretary shall be responsible for recording accurate minutes of ARB meetings and submitting them to the Management Agent, in a timely manner, for inclusion in the monthly meeting package for the Board. Minutes shall include a record of the date, time and place of each meeting, and a record of ARB member attendance and all votes of the ARB.

### **V. MEETINGS**

A. The Chairperson shall establish a schedule of regular ARB meetings within thirty (30) calendar days of their appointment. Said schedule shall state the time, day and place of each regular meeting. Notwithstanding the foregoing, additional meetings may be called in order to act and decide upon an application prior to the expiration of the decision deadline.



B. Notice of regular meetings of the ARB must be given to all ARB members personally, via mail, email or telephone, no less than five (5) calendar days prior to the meeting.

C. Special meetings of the ARB may be called by the Chairperson on three (3) calendar days' notice to each member given personally, or via mail, telephone or email.

D. All notice requirements for ARB meetings may be waived either by attendance at or participating in a meeting (unless the member lodges his or her objection to the notice at the outset of the meeting), or in writing, signed by the member entitled to the notice and filed with the minutes.

E. ARB meetings shall be held in a recognized meeting place of the Association, either in person at a specified physical location or via electronic video-meeting services. All ARB meetings shall be open to the membership except for matters that may be discussed in executive session. In order for the membership to be reasonably informed of ARB meetings, the Chairperson shall ensure that all regular ARB meeting dates are published through means reasonably accessible to lot owners.

F. If it is necessary for the ARB to reschedule or cancel a meeting, the Chairperson shall notify the Management Agent at the earliest possible time so that the membership can be reasonably notified. The Chairperson shall be responsible for contacting the members of the ARB regarding rescheduled or canceled meetings.

G. The Chairperson shall designate a time period on each meeting agenda for resident input.

H. A quorum of ARB members must be present in order to convene a meeting or conduct business of the ARB. A quorum shall be present if the majority of the current ARB members are present at any regularly scheduled or special ARB meeting. If the ARB is unable to convene a meeting due to lack of a quorum, a majority vote of the present members may do one of the following:

1. Recess the meeting to a later date; or
2. Adjourn the meeting to the next regularly scheduled meeting date.

I. The vote of a majority of ARB members present at a meeting with a quorum present shall constitute the decision of the ARB. All voting shall be conducted in open session.

J. ARB members shall not use inappropriate language or verbal tone during their debate of the issues. Any actions (including physical gestures or body language) or comments designed to insult, demean, or attack the personal character of any member of the ARB, the ARB as an entity, or any person in attendance is strictly prohibited. ARB members owe a duty of civility to each other and the Association and shall be courteous to the individual members at all times during official functions of the Association.



K. Any action required or permitted to be taken at an ARB meeting may be taken without a meeting if consent, in writing, setting forth the action taken, is signed either before or after such action by all of the ARB members. Signatures required under this Charter may be either manual/handwritten signatures or electronic signatures, and shall be deemed to have the same legal effect. Any such written consent shall have the same force and effect as a unanimous vote and shall be filed with the minutes of the ARB.

## VI. COMMUNICATIONS

A. In the interest of ensuring strong communications between the Board and the ARB, a member of the ARB is expected to attend on a quarterly basis, the meeting of the Board unless directed otherwise by the Board. The ARB representative will present ARB recommendations, update the Board on the status of pending ARB tasks, request assistance from the Board, as needed, and answer questions the Board may have.

B. It is expected that ARB activities will be communicated to the membership on a periodic basis.

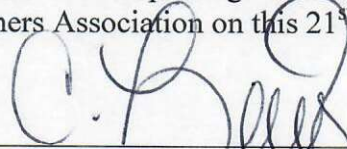
This Charter was duly adopted by the Board of Directors on this 22<sup>nd</sup> day of June, 2023.

HAMPTON FOREST HOMEOWNERS  
ASSOCIATION

By:   
Adrea Marshall, President

## FOR ASSOCIATION RECORDS

I hereby certify that a copy of the foregoing Resolution was posted on the Association's website for the membership to access and notice of such posting was mailed by postcard to the owners/members of Hampton Forest Homeowners Association on this 21<sup>st</sup> day of August, 2023.

A handwritten signature in black ink, appearing to read "C. Lewis", written over a horizontal line.

Candace Lewis, CMCA, AMS, PCAM  
Management Agent



# HAMPTON FOREST HOMEOWNERS ASSOCIATION

## RESOLUTION NO. 2023 – 01

### RESOLUTION ACTION RECORD

Adopted at a meeting of the Board of Directors held on June 22, 2023.

VOTE:	YES	NO	ABSTAIN	ABSENT
<u>Adrea Marshal</u> President	<u>X</u>			
<u>Adam Gowayed</u> Member at Large	<u>X</u>			
<u>Robert Maxwell</u> Secretary	<u>X</u>			
<u>Gretchen Strub</u> Treasurer				<u>X</u>
<u>May Kash</u> Vice President				<u>X</u>

ATTEST: Robert M. Maxwell  
Robert M. Maxwell (Aug 21, 2023 14:09 EDT)

Robert Maxwell  
Secretary

Date

Aug 21, 2023

Resolution effective: June 22, 2023.