

***Quail Creek Homeowners Association***  
**QCHOA INC.**

**ARCHITECTURAL REVIEW COMMITTEE DENIAL RECOURSE  
POLICY**

The following Architectural Review Committee Denial Recourse Policy (the "*Policy*") is established by the Board of Directors (the "*Board*") of QCHOA, Inc. (the "*Association*") in accordance with Texas Property Code, Subsection 209.00505(d).<sup>1</sup>

In this policy, "Architectural Review Committee" (the "ARC") means the governing authority for the review and approval of improvements within Quail Creek Subdivision in accordance with its CC&Rs, Bylaws, and any other rules or policies as may be adopted from time to time.

- A. A decision by the ARC denying an application or request by an Owner for the construction of improvements in the subdivision may be appealed to the Board.
- B. A written notice of the denial must be provided by the ARC to the Owner by certified mail, hand delivery, or electronic delivery, along with carbon copy to the Board. The notice must:
  - (1) describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and
  - (2) inform the Owner that the Owner may request a hearing under Section D on or before the 30th day after the date the notice was mailed to the Owner.
- C. All requests for a hearing before the Board as contemplated in Section D shall be made in writing and sent to the Association by verified mail to the HOA's official mailing address that is listed on the QCHOA's official website ([www.quailcreekrockwall.org](http://www.quailcreekrockwall.org)), or to such other location or by such other means as designated by the Association from time to time.
- D. The Board shall hold a hearing under this section not later than the 30th day after the date the Board receives the Owner's request for a hearing and shall notify the Owner and ARC of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. Only one hearing is required under this Policy.
- E. During a hearing, the Board or the designated representative of the Association and the Owner or the Owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the Owner's application or request for the construction of improvements, and the changes, if any, requested by the ARC in the notice provided to the Owner under Subsection B.
- F. The Board or the Owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.
- G. The Association or the Owner may make an audio recording of the meeting.
- H. The Board may affirm, modify, or reverse, in whole or in part, any decision of the ARC as consistent with QCHOA, Inc.'s dedicatory instruments.

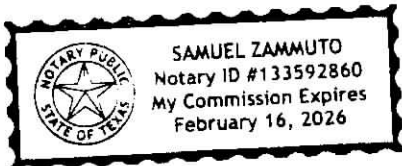
The foregoing Architectural Review Committee Denial Recourse Policy was duly adopted by the Board of the Association on the 17th day of October, 2022.

QCHOA, INC.

By: *Robert Steinhagen*  
Robert Steinhagen, President

STATE OF TEXAS                   §  
  §  
COUNTY OF ROCKWALL       §

This instrument was acknowledged before me on this 24<sup>TH</sup> day of FEBRUARY, 2023 by (name) ROBERT STEINHAGEN, the (title) PRESIDENT of QCHOA, Inc., a Texas non-profit corporation, on behalf of said corporation.



*Samuel Zammuto*  
Notary Public, State of Texas

<sup>1</sup> Property Code Title 11, § 209.00505 Added by Acts 2021, 87th Leg., R.S., Ch. 951 (S.B. 1588), Sec. 11, eff. September 1, 2021.

Filed and Recorded  
Official Public Records  
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Rockwall County, Texas  
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 *Jennifer Fogg*