



Quail Creek Homeowners Association
QCHOA INC.

**HEARING BEFORE BOARD /
ALTERNATIVE DISPUTE RESOLUTION POLICY**

The following Alternative Dispute Resolution Policy (“Policy”) is established by the Board of Directors (the “Board”) of the QCHOA, Inc. (the “Association”) in accordance with Section 209.007 of the Texas Property Codeⁱ.

Regarding HEARING BEFORE BOARD; ALTERNATIVE DISPUTE RESOLUTION.

- A. Except as provided by Subsection (C) herein and only if the Owner is entitled to an opportunity to cure the violation, the Owner has the right to submit a written request for a hearing to discuss and verify facts and resolve the matter in issue before the Board.
- B. The Association 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 of the date, time, and place of the hearing not later than the 10th day before the date of the hearing. The Board or the Owner may request a postponement, and, 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. The Owner or the Association may make an audio recording of the meeting.
- C. The notice and hearing provisions of the FINE AND ENFORCEMENT POLICY and this policy do not apply if the Association files a suit seeking a temporary restraining order or temporary injunctive relief or files a suit that includes foreclosure as a cause of action. If a suit is filed relating to a matter to which those sections apply, a party to the suit may file a motion to compel mediation. The notice and hearing provisions of the FINE AND ENFORCEMENT POLICY and this policy do not apply to a temporary suspension of a person’s right to use common areas if the temporary suspension is the result of a violation that occurred in a common area and involved a significant and immediate risk of harm to others in the subdivision. The temporary suspension is effective until the board makes a final determination on the suspension action after following the procedures prescribed by this section.
- D. An Owner or Association may use alternative dispute resolution services.
- E. Not later than 10 days before the Association holds a hearing under this section, the Association shall provide to an Owner a packet containing all documents, photographs, and communications relating to the matter the Association intends to introduce at the hearing.
- F. If an Association does not provide a packet within the period described by Subsection (E), an Owner is entitled to an automatic 15-day postponement of the hearing.
- G. During a hearing, a member of the Board or the Association’s designated representative shall first present the Association’s case against the Owner. An owner or the Owner’s designated representative is entitled to present the Owner’s information and issues relevant to the appeal or dispute.

The foregoing Hearing Before Board / Policy for Alternative Dispute Resolution Policy was duly adopted by the Board of the Association on the 17th day of October, 2022.

QCHOA, INC.

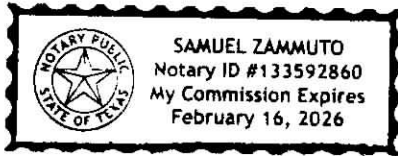
By: [Signature]
Robert Steinhagen, President

STATE OF TEXAS

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COUNTY OF ROCKWALL

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



[Signature]
Notary Public, State of Texas

¹Property Code Title 11, § 209.007 Added by Acts 2001, 77th Leg., ch. 926, Sec. 1, eff. Jan. 1, 2002. Amended by: Acts 2021, 87th Leg., R.S., Ch. 951 (S.B. 1588), Sec. 18, eff. September 1, 2021. Acts 2021, 87th Leg., R.S., Ch. 951 (S.B. 1588), Sec. 22(2), eff. September 1, 2021.

Filed and Recorded
Official Public Records
Jennifer Fogg: County Clerk
Rockwall County, Texas
02/24/2023 03:25:40 PM
\$30.00
20230000002800



[Signature]