



Lake Ashton HOA

ARC Processing Procedure

Effective November 7, 2022

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INTRODUCTION

The Architectural Review Committee (ARC) is a committee of the Lake Ashton Homeowners Association (HOA) as established by the Covenants, Conditions, and Restrictions of the Lake Ashton Golf Club (CC&Rs). Membership in the ARC (ARC Rep) is defined in the Bylaws of the HOA. The Board of Directors (BOD) shall be represented on the ARC with a Board Liaison (BOD Liaison).

The general premise of an ARC is to provide guidance and overview of the aesthetics of Lake Ashton. This is accomplished by establishing BOD approved Architectural Design Review Guidelines (ARC Guidelines) and associated processes. The overarching purpose of the ARC is to aid Lake Ashton homeowners in maintaining “**Fantastic Curb Appeal**” for the purpose of maintaining home values.

PHILOSOPHY REGARDING THE PROCESSING OF HOMEOWNER ARC REQUESTS

The ARC exists to help homeowners with the maintenance and upgrading of the exterior of their homes in a manner which is consistent with rules established by the CC&Rs and the HOA as stated in the ARC Guidelines. The ARC requires all homeowners to submit an Architectural Change Request (ARC Request) whenever the homeowner is making a change which will alter the exterior appearance of the structure and/or the property as may be required by the ARC Guidelines. ARC Requests will be evaluated in a manner that is simple, fair, consistent, and expeditious.

An ARC Request should be approved unless there is a valid reason to deny it. In some cases, the ARC will work with the homeowner to ensure the project is following the CC&Rs and ARC Guidelines. The presumption is that the homeowner is acting in good faith.

The ARC has adopted ARC Tracker to implement and simplify the submission of an ARC Request and the associated processing and tracking. To submit an ARC Request, Homeowners log into the LA ARC Tracker website at ARC.LakeAshtonHOA.org and enter their ARC Requests, providing supporting information as required. After submission, Homeowners will receive updates on the progress of their ARC Request consistent with the manner of communication that they selected in ARC Tracker. ARC Reps will log into ARC Tracker, evaluate ARC Requests, and vote to approve, deny, or abstain on each ARC Request. A time limit is invoked for ARC Reps to vote on an ARC Request. If an ARC Rep fails to vote within the prescribed time limit, they may lose their opportunity to vote unless the ARC Chair has not yet approved or denied the subject ARC Request.

If necessary, ARC Reps may ask homeowners for more information to clarify and add specifics to the ARC Request. If there are still doubts or questions on a specific ARC Request, the ARC Chair will determine if a meeting is necessary. All ARC Requests for which any ARC Rep has voted to deny an ARC Request shall be sent to a formal, publicly announced, meeting of the ARC if not resolved such that the ARC Rep has changed their vote.

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Where a homeowner does not have or desires not to share their email address, the ARC shall enter the request on behalf of the homeowner using the anonymous email of ARCTracker@LakeAshtonHOA.org. This account has no password. To validate that the ARC Request represents the homeowners intent, a document must be loaded with any anonymous account with the homeowner's signature stating that they have reviewed and concur to the ARC Request.

INCOMING REQUESTS COME IN THREE CATEGORIES

1. Maintenance and Replacement Requests – these typically involve no major physical changes to the unit. The ARC's interest in these is mainly for historical record keeping and to ensure that the homeowner is aware of any applicable restrictions. ARC Rep home visits for these types of requests is optional.

Examples include.

- Painting the exterior of the Unit in an approved color.
- Reroofing of the Unit using an approved shingle.
- Replacement of an A/C unit with a like unit in the same location.
- Paver Sealing.
- Tree Removal – including stump removal or cutting the stump below grade so it can be buried out of sight.
- Tree replacement – need a sketch of the location (if a new tree) or a statement that it replaces an existing tree. Also specify the variety of tree.
- Roof mounted fixtures – provide the vendor's information and a sketch showing the location.
- Garage Front Screens – specify screen and housing color along with vendor spec sheets.

The approval of these should be nearly automatic. If the homeowner checks all the boxes, by definition they are meeting the requirements and will likely be approved.

2. Upgrade and Alternative Requests – These typically involve additions that affect the appearance of the home, grounds, or involve the use of non-approved materials (such as substitute roof shingles) and may require some additional documentation. ARC Rep home visits for these types of requests is expected.

Examples include:

- Reroofing with an alternative shingle - requires verification the substitute is acceptable.
- Awnings – Verify the size, color, and placement meet the guidelines. A copy of the vendor's spec sheets is required and a diagram of where on the living unit the awning will be placed with its dimensions.
- A/C installation not in original area – hand sketch showing the new location along with dimensions to adjacent lot lines.

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- Supplemental A/C installations – hand sketch showing location along with dimensions to adjacent lot lines.
 - Curbing and Edging – hand sketch showing location along with color and description of edging and dimensions to property lines.
 - Driveway/Walkways – need a hand sketch showing location and distances from adjacent lot lines.
 - Generators – full set of contractor drawings along with hand sketch showing location and distances from adjacent lot lines of the generator and fuel storage and any ancillary equipment. A supplement ARC Request may also be required for screening of this outside equipment.
 - Installation or replacement of Gutters and Downspouts: color and hand sketch showing location of gutters and discharge points of water.
 - Flagpoles - hand sketch showing location, pole color and height.
 - Fountains and Water Features – hand sketch showing location and dimensions of installation spec sheets if available or written description.
 - Landscaping – hand sketch with dimensions. Include description of plantings, curbing and mulch if applicable. Must show existing and proposed items.
 - Lighting - hand sketch, written description and spec sheets should be attached with expected lux at property line due to all light sources.
 - Screen Enclosures - hand sketch, color, and elevations.
 - Storm Shutters – spec sheet and proposed installation locations must include color.
 - Trellises and Arbors – hand sketch showing locations along with sketches or spec sheets, materials of construction and colors.
 - Wall Art – Elevation showing location along with dimensions.
 - Yard Decor – hand sketch showing locations, spec sheets showing all dimensions.
3. Unique Requests – Those requests that do not fit into one of the above categories and typically require more extensive documentation and perhaps a conversation with the homeowner. ARC Rep home visits for these types of requests is mandatory.

Examples include:

- Patio/Pool Screen Enclosures
- Pool installation
- Patio expansions
- Golf Cart Garages
- Any structural addition or change

PROCESSING HOMEOWNER REQUESTS

1. Because ARC Tracker requests come in at any time, ARC Reps should review open ARC Requests daily. The goal is to resolve issues, approve or deny the request and communicate with homeowners as quickly as possible.
2. The voting options in ARC Tracker are Approve, Deny, Abstain. The ARC cannot change the wording, the options are defined as:

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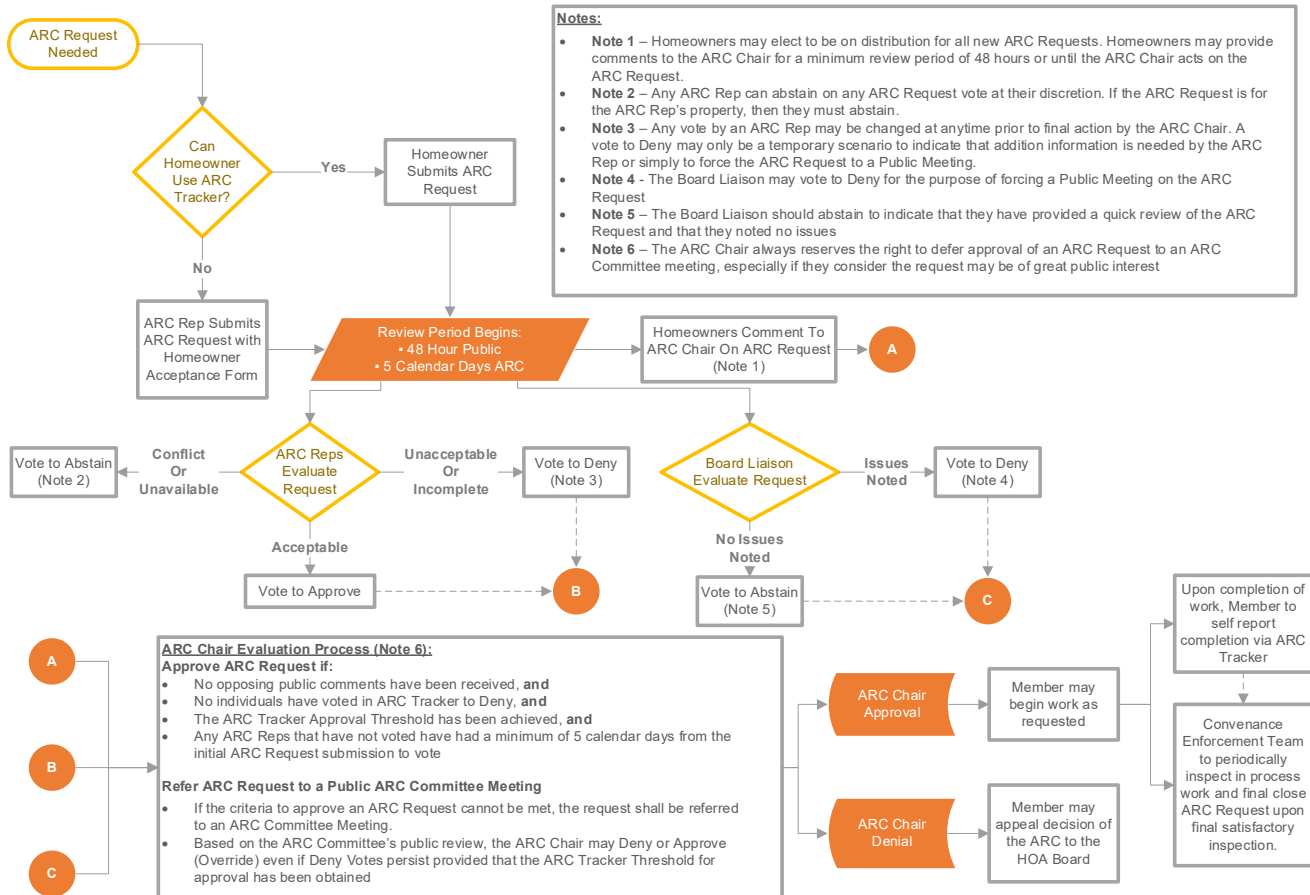
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- a. **Approve:** ARC Rep has no issues with ARC Request.
 - b. **Deny:** ARC Rep believes the request does not comply with the CC&R's and/or the ARC Guidelines, or requires the attention of a formal, publicly announced, ARC meeting.
 - c. **Abstain:** ARC Rep with a conflict of interest must abstain. ARC Reps that are unable to properly evaluate an ARC Request because of personal time limitations should abstain to modify the ARC Tracker approval thresholds. ARC Chair (and any acting as ARC Chair) and the BOD Liaison abstains from approving except to resolve a tie or to vote to deny for the purpose of forcing the ARC Request to a formal, publicly announced, ARC meeting.
3. The ARC Reps can have five calendar days to decide to preview an ARC Request and vote. After the five calendar days, they can still vote if the ARC Chair has not finalized the ARC Request Approval/Denial action. ARC Rep Votes not cast within the five calendar days limit may be treated as an abstain when calculating the voting totals.
 4. The ARC Chair may approve an ARC Request if any of the following occur:
 - a. All ARC Reps have voted to approve the ARC Request or have abstained from voting on the request. This action is independent of time from the submission of the ARC Request.
 - b. After five calendar days have passed and the voting threshold percent has been reached along with no votes to deny. In calculating the voting threshold percent, votes not cast will be treated as an abstain and not included in the calculation.
 - c. After a formal, publicly announced, ARC meeting, if it determined that the voting threshold has been met to approve, the ARC Chair may override the denial vote(s) and approve the ARC Request.
 5. Should it be determined by the ARC Chair that a site visit is required then:
 - a. The Area ARC Rep or a designated alternate will contact the homeowner and make an appointment for the visit. The ARC Chair will determine if a two-person team is required.
 - b. Visit the homeowner and collect all information required to resolve any issue and complete the request.
 - c. The ARC Rep should enter a comment into ARC Tracker on the results of the visit.
 - d. If the ARC Rep sees any unrelated non-compliance issues on the visit, they should not include them in the comment but should refer those separately to the Covenant Enforcement Group via Compliance@LakeAshtonHOA.org.
 6. ARC Reps may vote or change their vote at any time until the ARC Chair has processed an approval or denial action. If the ARC Rep believes that the request should be reviewed at the next ARC meeting, the ARC Rep should cast a vote to deny.
 7. The ARC Chair or Alternate may override the ARC Request status to Approve or Deny at his or her singular discretion only after a formal, publicly announced, ARC meeting.

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Lake Ashton Homeowner's Association ARC Processing Flow Chart



ARC TRACKER APPROVAL THRESHOLD

The ARC Tracker approval threshold is the percentage of approval votes required to approve an ARC Request as discussed above. The ARC Tracker approval threshold shall be 50%.

If the ARC Chair is concerned with the participation level of their ARC Reps, they may request that the ARC Tracker Local Administrator increase the Approval Threshold as high as 66%.

REVIEWING ARC REQUESTS AT A MEETING

The purpose of the meeting is to review those ARC Requests that are:

- Denied by one or more ARC Reps, or
- Formally objected to by any Lake Ashton homeowner, or
- Deficient in some manner, or
- Need special consideration i.e., those situations not clearly covered by the CC&Rs or current Guidelines.

If the ARC denies approval, the ARC will advise the homeowner of their right to appeal to the HOA Board.

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WORK COMPLETION

ARC Tracker provides the homeowner with the ability to report when work on an approved ARC Request has been completed by checking the Work Complete box. The area ARC Rep or another individual as may be assigned by the ARC Chair needs to inspect the work for compliance with the actual scope of work that was approved.

In addition to self-reporting completed work by the homeowner, the ARC Chair shall ensure that the area ARC Reps are periodically spot checking open (“Begin Work” Status) ARC Requests for completion. If found to be complete, the ARC Reps should inspect the work and update the ARC Request status accordingly after conferring with the homeowner.

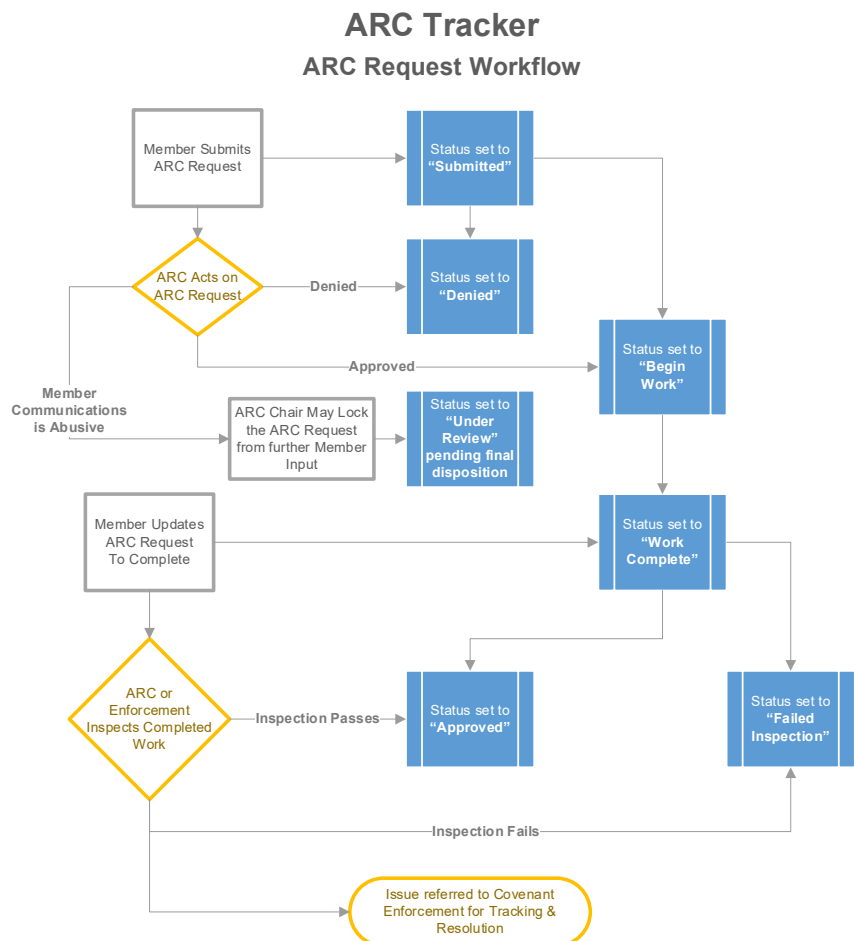
If deficiencies are found on inspection, the homeowner should be notified and an attempt made to develop a resolution plan. If a resolution plan is not able to be developed or if the homeowner becomes aggressive, the ARC Rep should immediately disengage and report the issue to Compliance@LakeAshtonHOA.org.

ARC TRACKER WORK FLOW

ARC Tracker includes an internal workflow for the processing of ARC Requests. If the association desires to include a final inspection step in the process, then the workflow must be enabled. For the HOA, this workflow is enabled. Adjacent is an overview of the workflow.

REVERTING STATUS IN ARC TRACKER WORKFLOW

If an ARC Request’s status is prematurely advanced, ARC Tracker support should be contacted to revert the status. Provide information to identify the ARC Request that needs to be reverted and the status that it should be reverted to.



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ARC Chair

The role of the ARC Chair is to:

- Monitor the ARC Tracker system, and intercede if an area ARC Rep is failing to follow-up with a homeowner.
- Advance the ARC Tracker Status of an ARC Request to “Under Review” if they desire to limit homeowner continued comments and file uploads.
- Call for and preside over formal, publicly announced, ARC meeting. In calling such meetings, they shall ensure that:
 - A meeting agenda, inclusive of meeting time and place, has been prepared and publicly posted, and
 - Any homeowners who’s ARC Request will be discussed shall have been notified and provided the opportunity to attend the meeting.
- Use the Approve/Approve (Override) or Deny feature of ARC Tracker consistent with the above guidance.

If the ARC Chair is unavailable, the ARC Chair will appoint an acting Chair to act in their place.

ARC REPORTING TO THE BOD

The ARC Chair is responsible to deliver an ARC Report at each regularly scheduled BOD meeting. As required by the CC&Rs, this report shall include a record of all decisions made by the ARC for the proceeding period.

BOARD ARC LIAISON ROLE

The BOD Liaison is an active member of the ARC. In ARC Tracker, the BOD Liaison is set-up as both an ARC Member and a Chair. In general, the BOD Liaison must cast a vote to abstain unless they desire that an ARC Request be reviewed at an ARC Committee Meeting in which case, they shall vote to Deny. A Deny vote by the BOD Liaison takes precedence over all other votes and dictates that the homeowner’s ARC Request be reviewed at a formal, publicly announced, ARC meeting.

If the BOD Liaison fails to cast a vote to Abstain within five days after an ARC request has been submitted, the ARC Chair will assume the vote is an abstaining vote.

AUDITOR ROLE

ARC Tracker includes an Auditor Role. The role allows for checking status of ARC Requests, both active and completed. An Auditor is not a voting member of the ARC.

PROPERTY MANAGER ROLE

ARC Tracker includes a Property Manager Role. The role allows for checking status of ARC Requests, both active and completed. The Property Manager can update the status of ARC Requests that are in a “Complete Work” Status to “Approved” (final inspection performed satisfactorily) or “Final Inspection Failed”. A Property Manager is not a voting member of the ARC.

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LOCAL ADMINISTRATOR ROLE

ARC Tracker includes a Local Administrator Role. This role is authorized to work with ARC Tracker to configure specific elements in the system. This person also configures the ARC Reps in ARC Tracker. This person is BOD appointed and is accountable to the ARC Chair in updating the configurations of the individual ARC Request Templates in ARC Tracker. This person holds the responsibility that the individual ARC Request Templates comply with the CC&Rs, the ARC Guidelines and the standards and norms of the community. The individual ARC Request Templates may include elements that are often asked by ARC Reps to streamline the process but must ensure that no element in the individual ARC Request Templates be more restrictive than required. The Local Administrator is not a voting member of the ARC.

ARC TRACKER REPORTS

ARC Tracker has self-generated parameterized reports available that any user can specify and run as a .csv export. Additionally, ARC Tracker can provide custom reports if the requested reports do not require any additional data fields and provided that a mock-up of the desired report is provided.

It is the responsibility of the Local Administrator to work with ARC Tracker for any custom report development as may be requested by the ARC.

AUTHORITY

This procedure is under the control of the ARC with ultimate approval by the BOD. Any changes to this procedure shall be forwarded to the BOD via the BOD Liaison for BOD Approval.

NO LIABILITY IS ASSUMED

The approval of any request by the ARC shall not be construed to grant any waiver of the requirement for the Homeowner to obtain any required permits, to permit any encroachment upon any easement, whether or not the ARC is aware of any requirement for permits or of any existing easement.

No liability resulting from the granting, denying or implementation of any ARC request is assumed by any Member of the ARC or Member of the Board of the HOA neither in their capacity as a Member of the ARC or the Board as the case may be, nor individually.