**THE WOODLANDS PROPERTY OWNERS ASSOCIATION, INC. (WPOA)**

**ARCHITECTURAL REVIEW COMMITTEE (ARC) CHARTER**

WHEREAS, The Woodlands is subject to a Declaration of Covenants, Conditions and Restrictions binding on all lots and lot owners; and WHEREAS the WPOA adopted bylaws establishing the ARC consistent with Article II of the Declaration; IT IS NOW RESOLVED that this Charter shall further define the membership, activities and authority of the ARC and its roles in preserving The Woodlands’ beauty, economic value, safety and quiet enjoyment for all Property Owners.

# MEMBERSHIP IN THE COMMITTEE

Consistent with the bylaws, there shall be three members of the Committee chosen by the WPOA Board for two-year terms.

The WPOA Board has determined all THREE must be Property Owners, One of whom must be a WPOA Board Member, and One of whom must own a home in The Woodlands and be resident a substantial portion of the year.

Two Members shall create a quorum.

In addition, the WPOA Board President (in their discretion) may appoint one or more additional non-voting Ad Hoc members to the Committee (whether or not property owners) to provide helpful additional expertise and knowledge to the Committee for a specified period of time.

# DUTIES OF THE COMMITTEE

The purpose of the Architectural Review Committee (ARC) is to provide assistance in establishing and overseeing community standards described in the Declaration of Covenants at ARTICLE II. In effecting its duties and functions, the ARC members shall:

1. Be familiar with the Declaration and the Bylaws governing their duties and responsibilities, as well as this Charter.
2. Listen, question and learn with curious and open minds when requests are made for approval, or a potential conflict with the Declaration is observed or reported by any property owner or Committee Member.
3. Bring a mindset of approving maximum use of private property consistent with the Declaration and courtesy to fellow Property Owners, especially nearby neighbors and generally visible conditions.
4. All Committee members shall act without self-interest and remove themselves from any vote that affects their property directly or property owned by a family member, always keeping the best interest of the Property owners and Association in mind.
5. Committee members may defer novel or particularly controversial issues to the WPOA Board for resolution, with a summary of the Committee’s work to date.
6. Discussions and deliberations in the Committee should remain respectfully confidential to the extent practical except as needed for issuance of a Committee Recommendation or discussion with the Board.

**3. DUTIES AND RESPONSIBILITIES OF OFFICERS**

* 1. The WPOA Board Member on the Committee shall serve as ARC Chair.
  2. The duties and responsibilities of the ARC Chair shall be as follows:
     1. Designate the time, place or method of the meetings and call the meeting to order and conduct the meeting.
     2. Act as a liaison between the Board of Directors and the ARC.
  3. The Board shall appoint an ARC member to serve as Secretary.
  4. The duties and responsibilities of the Secretary shall be:
     1. To perform the duties of the Chair in case of absence, and keep written minutes of property owner requests, reported conflicts with the Declarations, decisions made, attendance and voting,
     2. Forward Committee Recommendations (CR), with the reviewed applications and any reasons for the CR, to the Board of Directors.

All committee members serve on a voluntary basis. No member or officer of a standing committee shall receive payment or favor for their services to the Association except such reasonable and authorized expense reimbursement as may be determined by the Board of Directors.

**4. PROPERTY OWNER RESPONSIBILITIES**

Property Owners are expected to review and comply with the Declaration of Covenants and make any required requests before acting. For example, Section 2-2 states:

“No driveway, home, building, fence or other structure shall be constructed, erected, placed or altered on any Lot until the proposed building plans, specifications, exterior color and finish, plat plan (showing the proposed location of such building or structure, drives and parking areas), and construction schedule have been approved in writing by [the ARC].”

Property Owners must use the form provided by the ARC to guide their request for a Committee Recommendation. The ARC has 30 days to respond to the Chair’s receipt of a complete and full application or the default approval process in the Declaration will come into play. The Chair may note any deficiencies in the submission and seek modification by the Property Owner, which will delay commencement of the 30-day period.

If a Property Owner acts without seeking the applicable approval, it is at their risk as described in the Declaration.

**5. COMMITTEE PROCESS AND REVIEW**

1. The Committee shall develop and recommend to the Board processes, forms and requirements for Property Owner use and convenience.
2. The Committee shall follow its own processes until modified and assist the Property Owner in complying to the extent practical.
3. The Committee is expected to issue a Committee Recommendation (CR) after any request submitted to it, stating the Committee’s finding. It shall be timely transmitted to the WPOA Board President and the directly affected parties. A Committee Recommendation denying a Property Owner request will become final unless the Property Owner seeks a review by the WPOA Board within 30 days of the CR’s issuance.
4. A Committee Recommendation finding a violation of the Declaration by a Property Owner(s) is automatically appealed to the WPOA Board with the affected Property Owner(s) having 30 days to present any supporting reasons for review to the Board.
5. Review time will vary by the complexity and impact of the matter.