

**Rolling Fork Owners Committee, Inc.**  
**HEARINGS BEFORE THE BOARD; ALTERNATIVE DISPUTE RESOLUTION**

under §209.007, Texas Property Code

2021-10-19-6

**A. Application of this Policy.**

Applies to hearings on suspension of rights to use common area, suits against an owner other than assessment collection or foreclosure actions, charging an owner for property damage or levying a fine for a violation of the restrictions, the bylaws or rules of the Association. Does not apply to hearings on architectural denials.

**B. Exceptions.**

The notice and hearing provisions of Sections 209.006 and 209.007 do not apply:

1. 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.

2. 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.

3. Where the owner is not entitled to an opportunity to cure the violation,

**C. Right to Hearing.**

Subject to these exceptions, the owner has the right to submit a written request (complying with §209.006) for a hearing to discuss and verify facts and resolve the matter in issue before the Board.

**D. Scheduling.**

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.

**E. Information Packet.**

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.

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If the Association does not provide a packet within the period described above, an owner is entitled to an automatic 15-day postponement of the hearing.

**F. Hearing Procedure.**

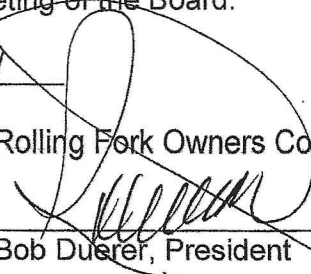
During a hearing, a member of the Board or the Association's designated representative shall first present the Association's case against the owner. An owner or the owner's designated representative is entitled to present the owner's information and issues relevant to the appeal or dispute.

**CERTIFICATION**

I certify that a majority of the Board of the Association adopted the foregoing policy, at a duly called and convened meeting of the Board.

Date: 10/19/2021

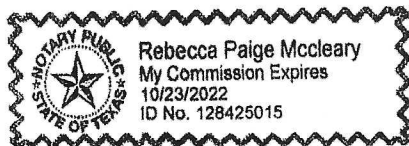
Rolling Fork Owners Committee, Inc.

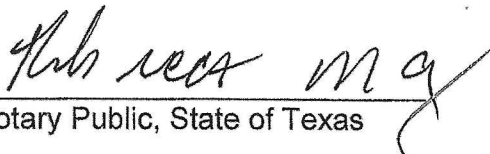
  
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Bob Duerer, President

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS     §

Before me, the undersigned authority, on this day personally appeared Bob Duerer, President of the Rolling Fork Owners Committee, Inc., a Texas nonprofit corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 19 day of October, 2021.



  
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Notary Public, State of Texas

7123.000

Return to: Action Property Management, Inc.  
11118 Cypress North Houston  
Houston, TX 77065

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