



ROYAL OAKS HOMEOWNERS' ASSOCIATION

THE ARCHITECTURAL CONTROL COMMITTEE APPEALS PROCESS

1. Homeowner submits to the Chair of the Architectural Control Committee (ACC) an "Application for Architectural Improvement" (Application). Please note the ACC has sixty days to review the application.
2. In the event the ACC decision is noted on the Application and returned to the homeowner as:
 - b. APPROVED WITH CONDITIONS:** The Application is approved with certain specified changes, limitations, or requirements that must be followed or adopted, **OR**
 - c. DISAPPROVED:** The application is denied, or referred to as disapproved or not approved,

the homeowner may appeal the decision to the ACC and, if necessary, to the Board of Directors.
3. Homeowners may request reconsideration by the ACC by providing new information which demonstrates why the Application is consistent with the Covenants.
4. Appeals submitted for reconsideration will be decided in the same manner as the original request.
5. After reconsideration and a second disapproval by the ACC, the homeowner may appeal to the Board of Directors. The Board of Directors must receive a written request for appeal within thirty (30) days from the date of the disapproval of the reconsideration.
6. The appeal will be heard at a special Board of Director's meeting, where the homeowner or his/her representative shall appear in person. Failure to appear shall mean Disapproval of the appeal. The appeal will be based on the information presented to the ACC. No new information will be heard under the appeal process. A member of the ACC must be present to provide information at the Board meeting.



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7. The Board of Director's will notify the homeowner of its decision in writing within seven (7) days of the date of the Board meeting.
8. The decision of the Board is final. The Board may elect to uphold the ACC disapproval (Final Adverse Decision), or the Board may elect to approve the appeal and the homeowner will be free to complete the project as presented at the appeal.
9. A further appeal step is available to homeowners under legislation signed by the Governor of Virginia in 2008 when the Common Interest Community Board (CIC Board) and the Office of the Common Interest Community Ombudsman (Ombudsman) was created at the Department of Professional and Occupational Regulation (DPOR). DPOR's website is www.dpor.virginia.gov. The legislation may be viewed at: <http://leg1.state.va.us/cgi-bin/legp504.exe?081+ful+CHAP0851>.
 - a. In the event the ROHA Board issues a Final Adverse Decision, a homeowner is entitled to complain to the Ombudsman alleging the ROHA Board violated legal requirements (statutes, regulations, or Association governing documents).
 - b. Notices must be filed within thirty (30) days of the Final Adverse Decision, must be submitted in writing on CIC Board forms, must include supporting documentation, and must include a \$25 filing fee (CIC Board may waive for demonstrated hardship).